

# EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

NEONODE SMARTPHONE LLC,

Plaintiff,

v.

APPLE INC.

Defendants.

Civil Action No. 6:20-cv-00505-ADA

**JURY TRIAL DEMANDED**

**PLAINTIFF'S PRELIMINARY DISCLOSURE OF INFRINGEMENT  
CONTENTIONS AND PRIORITY DATES**

Pursuant to the Court's Order Governing Proceedings – Patent Case (“OGP”) served on October 6, 2020 (Dkt. No. 16), Plaintiff Neonode Smartphone LLC (“Plaintiff”) hereby serves on Defendant Apple Inc. (“Defendant”) charts setting forth where in the accused products each element of the asserted claims are found (Exhibit A), and the earliest priority date for each asserted claim (Exhibit B).

Plaintiff’s disclosure of Preliminary Infringement Contentions is based on Plaintiff’s knowledge as of the date of this disclosure. In addition, these Contentions and disclosures are based in part on reasonable inferences concerning the present and past functionality of the accused devices based on the information presently reasonably available to Plaintiff. Plaintiff, accordingly, reserves the right to amend or supplement these disclosures as additional relevant information becomes available to Plaintiff. In addition, the identification of specific examples of infringing structure or functionality

in Plaintiff's Preliminary Infringement Contentions should not be deemed or understood to limit the scope of Plaintiff's Contentions to only the exemplary structure or functionality.

Plaintiff's obligation to produce information and documents is limited to materials in its possession, custody or control. Additional information, documents and other materials may be produced in discovery in this matter that are probative of infringement, and of the priority date and conception and reduction to practice, of the patents in suit. Plaintiff, therefore, reserves its right to amend or supplement this Preliminary Disclosure of Infringement Contentions and Priority Dates, and production of documents, in light of such later-produced information and materials.

DATED: October 16, 2020

Respectfully submitted,

By: /s/ Philip J. Graves

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## **EXHIBIT A**

**PRELIMINARY INFRINGEMENT CONTENTIONS – APPLE - 1****U.S. PATENT NO. 8,095,879**

<b>Claim</b>	<b>Evidence</b>
1[p]: A non-transitory computer readable medium storing a computer program with computer program code, which, when read by a mobile handheld computer unit, allows the computer to present a user interface for the mobile handheld computer unit, the user interface comprising:	The Accused Devices <sup>1</sup> and Accused Devices (3PA) <sup>2</sup> include a non-transitory computer readable medium (a flash memory), storing program code which, when read by the processor incorporated into the Accused Devices, allows the devices to present a user interface.

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<sup>1</sup> The “Accused Devices” include all Apple mobile devices sold with iOS 13 or iPadOS (as well as later versions of iOS or iPadOS) loaded onto the device, as well as all devices to which iOS 13 or iPadOS (as well as later versions of iOS or iPadOS) have been downloaded. As of 10/2020, models that support iOS 13 or iPadOS include iPhone SE, iPhone 6s Plus, iPhone 6s, iPhone 7, iPhone 7 Plus, iPhone 8, iPhone 8 Plus, iPhone X, iPhone XR, iPhone XS, iPhone XS Max, iPhone 11, iPhone 11 Pro, iPhone 11 Pro Max, iPhone SE (2<sup>nd</sup> generation), iPad Air 2, iPad Air (3d generation), iPad mini 4, iPad (5<sup>th</sup>, 6<sup>th</sup> generation), iPad mini (5<sup>th</sup> generation), iPad Pro (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> generation). Plaintiff has not yet been able to obtain information concerning subsequent models of iPhone and iPad products sufficient to enable it to determine whether such products infringe the ‘879 Patent, and on that basis reserves its right to supplement or amend these contentions to address infringement by such products.

<sup>2</sup> The “Accused Devices (3PA)” include all Apple mobile devices running iOS 8 and later versions of iOS, iPadOS or WatchOS, and to which a Third Party Swipe-Typing Keyboard App (defined below) has been downloaded. Apple devices supporting iOS 8 and subsequent versions of iOS and iPadOS include the iPhone 4S, iPhone 5, iPhone 5C, iPhone 5S, iPhone 6, iPhone 6 Plus, iPhone SE, iPhone 6s, iPhone 6s Plus, iPhone 7, iPhone 7 Plus, iPhone 8, iPhone 8 Plus, iPhone X, iPhone XR, iPhone XS, iPhone XS Max, iPhone 11, iPhone 11 Pro, iPhone 11 Pro Max, iPhone SE (2<sup>nd</sup> generation), iPad Air 2, iPad Air (3d generation), iPad mini 4, iPad mini (5th generation), iPad (5th, 6th, 7th generations), and iPad Pro (1st, 2nd, 3rd, 4th generations), and Apple Watch. Plaintiff has not yet been able to obtain information concerning subsequent models of iPhone and iPad products sufficient to enable it to determine whether such products infringe the ‘879 Patent, and on that basis reserves its right to supplement or amend these contentions to address infringement by such products.

	The iPhone 4S, <sup>3</sup> iPhone 5, <sup>4</sup> iPhone 5C, <sup>5</sup> iPhone 5S, <sup>6</sup> iPhone 6, <sup>7</sup> iPhone 6 Plus, <sup>8</sup> iPhone SE, <sup>9</sup> iPhone 6s, <sup>10</sup> iPhone 6s Plus, <sup>11</sup> iPhone 7, <sup>12</sup> iPhone 7 Plus, <sup>13</sup> iPhone 8, <sup>14</sup> iPhone 8 Plus, <sup>15</sup> iPhone X, <sup>16</sup> iPhone XR, <sup>17</sup> iPhone XS, <sup>18</sup> iPhone XS
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<sup>3</sup> 8, 16, 32, or 64 GB flash memory. iPhone 4S, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_4S](https://en.wikipedia.org/wiki/IPhone_4S); iPhone 4S Teardown <https://www.ifixit.com/Teardown/iPhone+4S+Teardown/6610> (Toshiba THGVX1G7D2GLA08 16 GB 24 nm MLC NAND flash).

<sup>4</sup> 16, 32 or 64 GB flash memory. iPhone 5, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_5](https://en.wikipedia.org/wiki/IPhone_5); iPhone 5 Teardown, <https://www.ifixit.com/Teardown/iPhone+5+Teardown/10525> (Hynix H2JTDG2MBR 128 Gb (16 GB) NAND flash).

<sup>5</sup> 8, 16, 32 GB flash memory. iPhone 5C, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_5C](https://en.wikipedia.org/wiki/IPhone_5C); iPhone 5C Teardown, <https://www.ifixit.com/Teardown/iPhone+5c+Teardown/17382> (Toshiba THGBX2G7B2JLA01 128 Gb (16 GB) NAND flash).

<sup>6</sup> 16, 32, 64 GB flash memory. iPhone 5S, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_5S](https://en.wikipedia.org/wiki/IPhone_5S); iPhone 5S Teardown, <https://www.ifixit.com/Teardown/iPhone+5s+Teardown/17383> (SK Hynix H2JTDG8UD3MBR 128 Gb (16 GB) NAND Flash).

<sup>7</sup> 16, 32, 64, 128 GB flash memory. iPhone 6, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_6](https://en.wikipedia.org/wiki/IPhone_6); iPhone 6 Teardown, <https://www.ifixit.com/Teardown/iPhone+6+Teardown/29213> (SanDisk SDMFLBCB2 128 Gb (16 GB) NAND Flash).

<sup>8</sup> 16, 64, 128 GB flash memory. iPhone 6 Plus, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_6](https://en.wikipedia.org/wiki/IPhone_6); iPhone 6 Plus Teardown, <https://www.ifixit.com/Teardown/iPhone+6+Plus+Teardown/29206> (SK Hynix H2JTDG8UD1BMS 128 Gb (16 GB) NAND Flash).

<sup>9</sup> 16, 32, 64 or 128 GB flash memory. iPhone SE (1<sup>st</sup> generation), Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_SE\\_\(1st\\_generation\)](https://en.wikipedia.org/wiki/IPhone_SE_(1st_generation)); iPhone SE Teardown, <https://www.ifixit.com/Teardown/iPhone+SE+Teardown/60902> (Toshiba THGBX5G7D2KLDXG 16 GB NAND Flash).

<sup>10</sup> 16, 32, 64, or 128 GB flash memory. iPhone 6s, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_6S](https://en.wikipedia.org/wiki/IPhone_6S); iPhone 6s Teardown, <https://www.ifixit.com/Teardown/iPhone+6s+Teardown/48170> (Toshiba THGBX5G7D2KLFXG 16 GB 19 nm NAND Flash).

<sup>11</sup> 16, 32, 64, or 128 GB flash memory. iPhone 6s Plus, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_6S](https://en.wikipedia.org/wiki/IPhone_6S); iPhone 6s Plus Teardown, <https://www.ifixit.com/Teardown/iPhone+6s+Plus+Teardown/48171> (SK Hynix H23QDG8UD1ACS 16 GB NAND Flash).

<sup>12</sup> 32, 128, or 256 GB flash memory. iPhone 7, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_7](https://en.wikipedia.org/wiki/IPhone_7); iPhone 7 Teardown, <https://www.ifixit.com/Teardown/iPhone+7+Teardown/67382> (SK Hynix H23QEG8VG2ACS 32 GB Flash).

<sup>13</sup> 32, 128, or 256 GB flash memory. iPhone 7 Plus, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_7](https://en.wikipedia.org/wiki/IPhone_7); iPhone 7 Plus Teardown, <https://www.ifixit.com/Teardown/iPhone+7+Plus+Teardown/67384> (Toshiba THGBX6T0T8LLFXF 128 GB NAND Flash).

<sup>14</sup> 64, 128, or 256 GB flash memory. iPhone 8, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_8](https://en.wikipedia.org/wiki/IPhone_8); iPhone 8 Teardown, <https://www.ifixit.com/Teardown/iPhone+8+Teardown/97481> (Toshiba TSBL227VC3759 64 GB NAND flash storage).

<sup>15</sup> 64, 128, or 256 GB flash memory. iPhone 8 Plus, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_8](https://en.wikipedia.org/wiki/IPhone_8); iPhone 8 Plus Teardown, <https://www.ifixit.com/Teardown/iPhone+8+Plus+Teardown/97482> (SanDisk SDMPEGF12 64 GB NAND flash storage).

<sup>16</sup> 64 or 256 GB flash memory. iPhone X, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_X](https://en.wikipedia.org/wiki/IPhone_X); iPhone X Teardown, <https://www.ifixit.com/Teardown/iPhone+X+Teardown/98975> (Toshiba TSB3234X68354TWNA1 64 GB flash memory).

<sup>17</sup> 64, 128, or 256 GB flash memory. iPhone XR, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_XR](https://en.wikipedia.org/wiki/IPhone_XR); iPhone XR Teardown, <https://www.ifixit.com/Teardown/iPhone+XR+Teardown/114123> (Toshiba TSB3243VC0428CHNA1 64 GB flash storage).

<sup>18</sup> 64, 256 or 512 GB flash memory. iPhone XS, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_XS](https://en.wikipedia.org/wiki/IPhone_XS); iPhone XS Teardown, <https://www.ifixit.com/Teardown/iPhone+XS+and+XS+Max+Teardown/113021> (Toshiba TSB3243V85691CHNA1 64 GB flash storage).

	Max, <sup>19</sup> iPhone 11, <sup>20</sup> iPhone 11 Pro, <sup>21</sup> iPhone 11 Pro Max, <sup>22</sup> iPhone SE (2 <sup>nd</sup> generation), <sup>23</sup> iPad Air 2, <sup>24</sup> iPad Air (3d generation), <sup>25</sup> iPad mini 4, <sup>26</sup> iPad mini (5th generation), <sup>27</sup> iPad (5th, <sup>28</sup> 6th, <sup>29</sup> 7th <sup>30</sup> generations), iPad Pro (1st, <sup>31</sup>
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<sup>19</sup> *Ibid.*

<sup>20</sup> 64, 128 or 256 GB flash memory. iPhone 11, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_11](https://en.wikipedia.org/wiki/IPhone_11).

<sup>21</sup> 64, 256 or 512 GB flash memory. iPhone 11 Pro, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_11\\_Pro](https://en.wikipedia.org/wiki/IPhone_11_Pro).

<sup>22</sup> 64, 256 or 512 GB flash memory. iPhone 11 Pro Max, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_11\\_Pro](https://en.wikipedia.org/wiki/IPhone_11_Pro); iPhone 11 Pro Max Teardown, <https://www.ifixit.com/Teardown/iPhone+11+Pro+Max+Teardown/126000> (Toshiba TSB 4226VE9461CHNA1 1927 64 GB flash storage).

<sup>23</sup> 64, 128, or 256 GB flash memory. iPhone SE (2<sup>nd</sup> generation), Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_SE\\_\(2nd\\_generation\)](https://en.wikipedia.org/wiki/IPhone_SE_(2nd_generation)); iPhone SE (2<sup>nd</sup> generation) Teardown, <https://www.ifixit.com/Teardown/iPhone+SE+2020+Teardown/133066> (Toshiba TSB4226LF23417WNA11948 64 GB flash storage).

<sup>24</sup> 16, 32, 64, 128 GB flash memory. iPad Air 2, Wikipedia, [https://en.wikipedia.org/wiki/IPad\\_Air\\_2](https://en.wikipedia.org/wiki/IPad_Air_2); iPad Air 2 Teardown, <https://www.ifixit.com/Teardown/iPad+Air+2+Teardown/30592> (SK Hynix H2JTDG8UD1BMR 128 Gb (16 GB) NAND Flash).

<sup>25</sup> 64 or 256 GB flash memory. iPad Air (3d generation), Wikipedia, [https://en.wikipedia.org/wiki/IPad\\_Air\\_\(2019\)](https://en.wikipedia.org/wiki/IPad_Air_(2019)); iPad Air (3d generation) Teardown, <https://www.ifixit.com/Teardown/iPad+Air+3+Teardown/121759> (Toshiba TSB3243V40755TWNA1 64 GB NAND flash).

<sup>26</sup> 16, 32, 64, 128 GB flash memory. iPad mini 4 Wikipedia, [https://en.wikipedia.org/wiki/IPad\\_Mini\\_4](https://en.wikipedia.org/wiki/IPad_Mini_4); iPad mini 4 Teardown, <https://www.ifixit.com/Teardown/iPad+Mini+4+Teardown/48891> (SK Hynix H2JTDG8UD1BMR 16 GB NAND flash).

<sup>27</sup> 64 or 256 GB flash memory. iPad mini (5th generation), Wikipedia, [https://en.wikipedia.org/wiki/IPad\\_Mini\\_\(5th\\_generation\)](https://en.wikipedia.org/wiki/IPad_Mini_(5th_generation)); iPad mini (5th generation) Teardown, <https://www.ifixit.com/Teardown/iPad+Mini+5+Teardown/121589> (Toshiba TSB3243VD1190CHNA1 64 GB flash memory).

<sup>28</sup> 32 or 128 GB flash memory. iPad (5<sup>th</sup> generation), Wikipedia, [https://en.wikipedia.org/wiki/IPad\\_\(2017\)](https://en.wikipedia.org/wiki/IPad_(2017)); iPad (5<sup>th</sup> generation) Teardown, <https://www.ifixit.com/Teardown/iPad+5+Teardown/85098> (SK Hynix H23QEG8VG2ACR 32 GB NAND flash storage).

<sup>29</sup> 32 or 128 GB flash memory. iPad (6<sup>th</sup> generation), Wikipedia, [https://en.wikipedia.org/wiki/IPad\\_\(2018\)](https://en.wikipedia.org/wiki/IPad_(2018)); iPhone iPad (6<sup>th</sup> generation) Teardown, <https://www.ifixit.com/Teardown/iPad+6+Teardown/105416> (Toshiba TSB3236LX3536TWNB1 32 GB flash memory).

<sup>30</sup> 32 or 128 GB flash memory. iPad (7<sup>th</sup> generation), Wikipedia, [https://en.wikipedia.org/wiki/IPad\\_\(2019\)](https://en.wikipedia.org/wiki/IPad_(2019)); iPad (7<sup>th</sup> generation) Teardown, <https://www.ifixit.com/Teardown/iPad+7+Teardown/126291> (SanDisk SDMRSEFJ2 032G 32 GB flash memory).

<sup>31</sup> 32, 128, 256 GB flash memory. iPad Pro (1<sup>st</sup> generation) Wikipedia, [https://en.wikipedia.org/wiki/IPad\\_Pro\\_\(1st\\_generation\)](https://en.wikipedia.org/wiki/IPad_Pro_(1st_generation)); iPad Pro (1<sup>st</sup> generation) Teardown, <https://www.ifixit.com/Teardown/iPad+Pro+12.9-Inch+Teardown/52599> (Toshiba THGBX5G8D4KLDXG 32 GB NAND Flash).

	<p>2nd,<sup>32</sup> 3rd,<sup>33</sup> 4th<sup>34</sup> generations), and Apple Watch (1st generation,<sup>35</sup> Series 1,<sup>36</sup> Series 2,<sup>37</sup> Series 3,<sup>38</sup> Series 4,<sup>39</sup> Series 5<sup>40</sup>, SE<sup>41</sup> and Series 6<sup>42</sup>) include a memory storing program code which, when read by the processor incorporated into the Accused Devices, allows the devices to present a user interface.</p> <p>The memory stores program code, e.g., the operating system (iOS, iPadOS, WatchOS) code of the device as well as application code. The Accused Devices and Accused Devices (3PA) include hardware, such as RAM and a main processor, for reading the operating system and application code stored in memory. The iPhone 4s includes an A5 processor.<sup>43</sup> The iPhone 5 and 5C include an A6 processor.<sup>44</sup> The iPhone 5S includes an A7 processor.<sup>45</sup> The iPhone 6, 6 Plus and iPad Mini 4 include an A8 processor.<sup>46</sup> The iPad Air 2 includes an A8X processor.<sup>47</sup> The iPhone 6s, 6s Plus, SE (1<sup>st</sup> Gen) and iPad (5th generation) include an A9 processor.<sup>48</sup> The iPhone 7, 7 Plus, iPad</p>
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<sup>32</sup> 64, 128, 256, or 512 GB flash memory. iPad Pro (2nd generation) Wikipedia, [https://en.wikipedia.org/wiki/IPad\\_Pro\\_\(2nd\\_generation\)](https://en.wikipedia.org/wiki/IPad_Pro_(2nd_generation)).

<sup>33</sup> 64, 256, 512 GB, 1 TB flash memory. iPad Pro (3rd generation) Specs, [https://support.apple.com/kb/SP785?locale=en\\_US](https://support.apple.com/kb/SP785?locale=en_US); iPad Pro (3rd generation) Teardown, <https://www.ifixit.com/Teardown/iPad+Pro+11-Inch+Teardown/115457> (Toshiba TSB3247M61710TWNA1 flash storage (64 GB total)).

<sup>34</sup> 128, 256, 512 GB, 1 TB flash memory. iPad Pro (4th generation) Specs, [https://support.apple.com/kb/SP815?locale=en\\_US](https://support.apple.com/kb/SP815?locale=en_US).

<sup>35</sup> 8 GB flash memory. Apple Watch (1st generation), Wikipedia, [https://en.wikipedia.org/wiki/Apple\\_Watch](https://en.wikipedia.org/wiki/Apple_Watch); <https://www.macrumors.com/2015/01/09/samsung-produce-apple-watch-components/> (Samsung NAND).

<sup>36</sup> 8 GB flash memory. Apple Watch (Series 1), Wikipedia, [https://en.wikipedia.org/wiki/Apple\\_Watch](https://en.wikipedia.org/wiki/Apple_Watch); <https://www.slashgear.com/apple-watch-s1-soc-teardown-shows-custom-processor-30381587/> (Sandisk/Toshiba NAND).

<sup>37</sup> 8 GB flash memory. Apple Watch (Series 2), Wikipedia, [https://en.wikipedia.org/wiki/Apple\\_Watch](https://en.wikipedia.org/wiki/Apple_Watch).

<sup>38</sup> 8 or 16 GB flash memory. Apple Watch (Series 3), Wikipedia, [https://en.wikipedia.org/wiki/Apple\\_Watch](https://en.wikipedia.org/wiki/Apple_Watch); Apple Watch Series 3 Teardown, <https://www.techinsights.com/blog/apple-watch-series-3-teardown> (NAND: 4x Toshiba FPV7\_32G, total of 16GB flash memory).

<sup>39</sup> 16 GB flash memory. Apple Watch (Series 4), Wikipedia, [https://en.wikipedia.org/wiki/Apple\\_Watch](https://en.wikipedia.org/wiki/Apple_Watch).

<sup>40</sup> 32 GB flash memory. Apple Watch (Series 5), Wikipedia, [https://en.wikipedia.org/wiki/Apple\\_Watch](https://en.wikipedia.org/wiki/Apple_Watch).

<sup>41</sup> 32 GB flash memory. Apple Watch (SE), Wikipedia, [https://en.wikipedia.org/wiki/Apple\\_Watch](https://en.wikipedia.org/wiki/Apple_Watch).

<sup>42</sup> 32 GB flash memory. Apple Watch (Series 6), Wikipedia, [https://en.wikipedia.org/wiki/Apple\\_Watch](https://en.wikipedia.org/wiki/Apple_Watch).

<sup>43</sup> <https://www.macstories.net/news/apple-announces-iphone-4s-a5-faster-graphics-same-iphone-4-design/> (Apple Announces iPhone 4S\_A5, 8 MP Camera, 1080p Video Recording - Available October 14th – MacStories.pdf)

<sup>44</sup> <https://www.theverge.com/2012/9/12/3321108/apple-a6-new-iphone-soc-cpu-processor> (The Apple A6\_ a smaller processor for the iPhone 5 with twice the performance - The Verge.pdf); [https://support.apple.com/kb/SP684?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP684?viewlocale=en_US&locale=en_US) (iPhone 5C - Technical Specifications.pdf)

<sup>45</sup> [https://support.apple.com/kb/SP685?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP685?viewlocale=en_US&locale=en_US) (iPhone 5s - Technical Specifications.pdf)

<sup>46</sup> [https://support.apple.com/kb/SP705?viewlocale=en\\_MZ&locale=en\\_MZ](https://support.apple.com/kb/SP705?viewlocale=en_MZ&locale=en_MZ) (iPhone 6 - Technical Specifications.pdf);

[https://support.apple.com/kb/SP706?viewlocale=en\\_MZ&locale=en\\_MZ](https://support.apple.com/kb/SP706?viewlocale=en_MZ&locale=en_MZ) (iPhone 6 Plus - Technical Specifications.pdf);

[https://support.apple.com/kb/SP725?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP725?viewlocale=en_US&locale=en_US) (iPad mini 4 – Technical Specifications.pdf)

<sup>47</sup> [https://support.apple.com/kb/SP708?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP708?viewlocale=en_US&locale=en_US) (iPad Air 2 - Technical Specification.pdf)

<sup>48</sup> [https://support.apple.com/kb/SP726?viewlocale=en\\_MZ&locale=en\\_MZ](https://support.apple.com/kb/SP726?viewlocale=en_MZ&locale=en_MZ) (iPhone 6s - Technical Specifications.pdf);

[https://support.apple.com/kb/SP727?viewlocale=en\\_MZ&locale=en\\_MZ](https://support.apple.com/kb/SP727?viewlocale=en_MZ&locale=en_MZ) (iPhone 6s Plus - Technical Specifications.pdf);

	(6th generation) and iPad (7th generation) include an A10 Fusion processor. <sup>49</sup> The iPhone 8, 8 Plus and X include an A11 Bionic processor. <sup>50</sup> The iPhone XS, XS Max, XR, iPad Air (3d Gen) and iPad mini (5th generation) and iPad Pro (1st, 2nd, 3rd and 4th generations) include an A12 Bionic processor. <sup>51</sup> The iPhone 11, 11 Pro, 11 Pro Max and SE (2 <sup>nd</sup> Gen) include an A13 Bionic processor. <sup>52</sup> The Apple Watch (1st generation) includes an S1 processor. <sup>53</sup> The Apple Watch (Series 1) includes an S1P processor. <sup>54</sup> The Apple Watch (Series 2) includes an S2 processor. <sup>55</sup> The
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[https://support.apple.com/kb/SP738?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP738?viewlocale=en_US&locale=en_US) (iPhone SE – Technical Specifications.pdf);

[https://support.apple.com/kb/SP751?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP751?viewlocale=en_US&locale=en_US) (iPad (5th generation) - Technical Specifications.pdf)

<sup>49</sup> [https://support.apple.com/kb/SP743?viewlocale=en\\_MZ&locale=en\\_MZ](https://support.apple.com/kb/SP743?viewlocale=en_MZ&locale=en_MZ) (iPhone 7 - Technical Specifications.pdf);

<https://www.ifixit.com/Teardown/iPhone+7+Teardown/67382> (iPhone 7 Teardown - iFixit.pdf);

[https://support.apple.com/kb/SP744?viewlocale=en\\_MZ&locale=en\\_MZ](https://support.apple.com/kb/SP744?viewlocale=en_MZ&locale=en_MZ) (iPhone 7 Plus - Technical Specifications.pdf);

<https://www.techinsights.com/blog/apple-iphone-7-teardown> (Apple iPhone 7 Teardown.pdf);

[https://support.apple.com/kb/SP774?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP774?viewlocale=en_US&locale=en_US) (iPad (6th generation) - Technical Specifications.pdf);

[https://support.apple.com/kb/SP807?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP807?viewlocale=en_US&locale=en_US) (iPad (7th generation) - Technical Specifications.pdf)

<sup>50</sup> <https://www.apple.com/mz/iphone-8/specs/> (iPhone 8 - Technical Specifications - Apple (MZ).pdf);

<https://www.ifixit.com/Teardown/iPhone+8+Teardown/97481> (iPhone 8 Teardown - iFixit.pdf); <https://www.techinsights.com/blog/apple-iphone-8-plus-teardown> (Apple iPhone 8 Plus Teardown.pdf); [https://support.apple.com/kb/sp770?locale=en\\_US](https://support.apple.com/kb/sp770?locale=en_US) (iPhone X – Technical Specifications);

<https://www.techinsights.com/blog/apple-iphone-x-teardown>

<sup>51</sup> [https://support.apple.com/kb/SP779?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP779?viewlocale=en_US&locale=en_US) (iPhone XS - Technical Specifications);

[https://support.apple.com/kb/SP780?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP780?viewlocale=en_US&locale=en_US) (iPhone XS Max – Technical Specifications);

[https://support.apple.com/kb/SP781?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP781?viewlocale=en_US&locale=en_US) (iPhone XR – Technical Specifications);

[https://support.apple.com/kb/SP787?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP787?viewlocale=en_US&locale=en_US) (iPad Air (3rd generation) - Technical Specifications.pdf);

[https://support.apple.com/kb/SP788?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP788?viewlocale=en_US&locale=en_US) (iPad mini (5th generation) - Technical Specifications.pdf);

[https://support.apple.com/kb/SP784?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP784?viewlocale=en_US&locale=en_US) (iPad Pro 11-inch (1st generation) - Technical Specifications.pdf);

[https://support.apple.com/kb/SP814?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP814?viewlocale=en_US&locale=en_US) (iPad Pro 11-inch (2nd generation) - Technical Specifications.pdf);

[https://support.apple.com/kb/SP785?locale=en\\_US](https://support.apple.com/kb/SP785?locale=en_US) (iPad Pro 12.9-inch (3rd generation) - Technical Specifications.pdf);

[https://support.apple.com/kb/SP815?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP815?viewlocale=en_US&locale=en_US) (iPad Pro 12.9-inch (4th generation) - Technical Specifications)

<sup>52</sup> <https://www.apple.com/iphone-11/specs/> (iPhone 11 Technical Specifications); <https://www.apple.com/iphone-11-pro/specs/> (iPhone 11 Pro Technical Specifications); [https://support.apple.com/kb/SP820?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP820?viewlocale=en_US&locale=en_US) (iPhone SE (2nd generation) – Technical Specifications.pdf)

<sup>53</sup> <https://www.anandtech.com/show/9381/the-apple-watch-review/3> (Apple S1 Analysis - The Apple Watch Review.pdf)

<sup>54</sup> <https://www.ifixit.com/News/8439/apple-watch-series-1> (We Just Took Apart the Apple Watch Series 1—Here's What We Found Out – iFixit.pdf)

<sup>55</sup> <https://www.ifixit.com/Teardown/Apple+Watch+Series+2+Teardown/67385> (Apple Watch Series 2 Teardown – iFixit.pdf)

	<p>Apple Watch (Series 3) includes an S3 processor.<sup>56</sup> The Apple Watch (Series 4) includes an S4 processor.<sup>57</sup> The Apple Watch (Series 5, SE) include an S5 processor.<sup>58</sup> The Apple Watch (Series 6) includes an S6 processor.<sup>59</sup></p> <p>In addition, the Accused Devices and Accused Devices (3PA) include hardware, such as light emitting diodes (LEDs) and organic light emitting diodes (OLEDs), for presenting a user interface.</p>
<p>[a]: a touch sensitive area in which a representation of a function is provided,</p>	<p>The display of each of the Accused Devices and Accused Devices (3PA) includes a touch sensitive area, comprising a substantial portion of the screen presented to the user. The touch sensitive displays of the Accused Devices and Accused Devices (3PA) are comprised of one or more glass sheets incorporating circuitry to enable capacitive sensing.<sup>60</sup></p> <p>Each Accused Device and Accused Device (3PA) includes code stored in memory for presenting a virtual keyboard in the touch sensitive portion of the display when the user interacts with various applications, such as the email, browser, and messaging applications, as well as the search function within a variety of applications. Each Accused Devices includes code for presenting a virtual keyboard referred to as “English (US)” in Keyboard Settings, which is enabled by default and which may, if not enabled, be enabled by a user by accessing Keyboard Settings and selecting “English (US).” Each Accused Device (3PA) includes code for presenting a third party virtual keyboard, which may be enabled by a user by accessing Keyboard Settings and selecting that particular third party virtual keyboard.</p> <p>For example, with the English (US) keyboard enabled, and running the Messages application,<sup>61</sup> if a user taps the icon for “New Message,” a keyboard and one or more text entry fields will be presented to the user:</p>

<sup>56</sup> [https://support.apple.com/kb/SP766?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP766?viewlocale=en_US&locale=en_US) (Apple Watch Series 3 - Technical Specifications.pdf)

<sup>57</sup> [https://support.apple.com/kb/SP778?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP778?viewlocale=en_US&locale=en_US) (Apple Watch Series 4 - Technical Specifications.pdf)

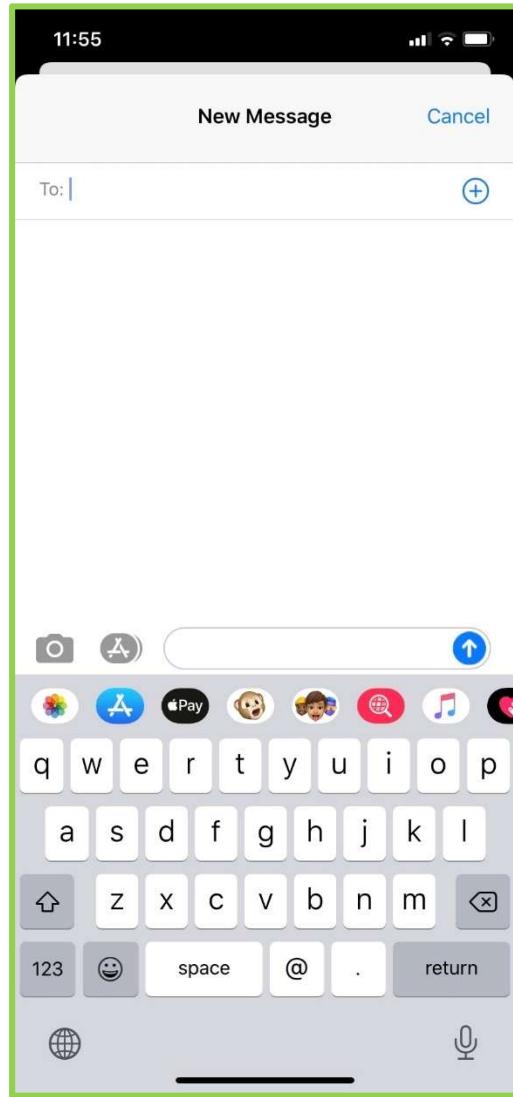
<sup>58</sup> [https://support.apple.com/kb/SP808?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP808?viewlocale=en_US&locale=en_US) (Apple Watch Series 5 - Technical Specifications.pdf);

[https://support.apple.com/kb/SP827?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP827?viewlocale=en_US&locale=en_US) (Apple Watch SE - Technical Specifications.pdf)

<sup>59</sup> [https://support.apple.com/kb/SP826?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP826?viewlocale=en_US&locale=en_US) (Apple Watch Series 6 - Technical Specifications.pdf)

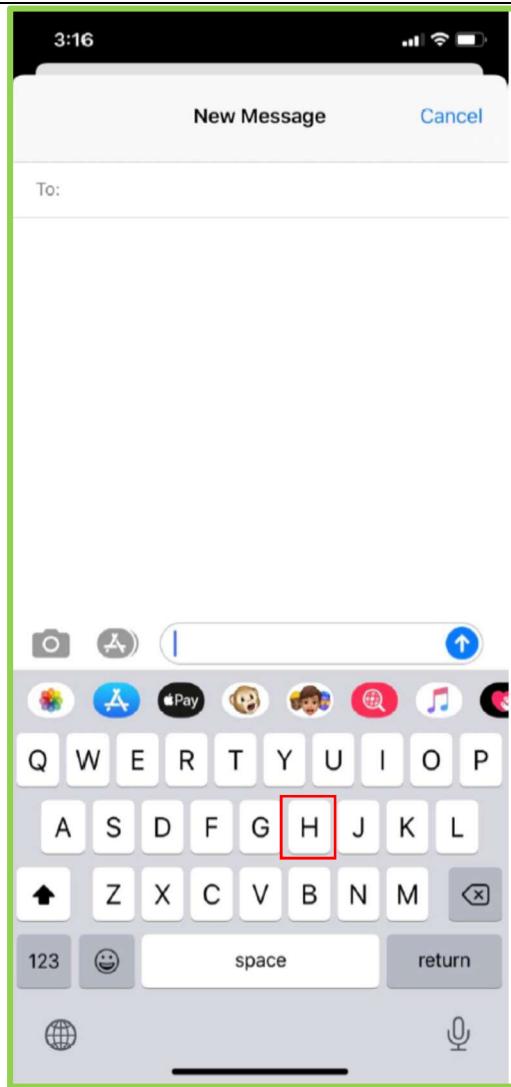
<sup>60</sup> <https://www.lovefone.co.uk/blogs/news/117010948-how-does-the-iphone-touch-screen-work-and-why-is-it-made-of-glass#:~:text=Capacitive%20screens%20use%20a%20layer,at%20the%20point%20of%20contact.&text=Using%20glass%20and%20capacitive%20technology,other%20types%20of%20capacitive%20screens..>

<sup>61</sup> In the examples below and throughout these Infringement Contentions, exemplary references to the use of a specified virtual keyboard for entry of text into a text field in a particular application (e.g., Messages, email, browser) is not intended to limit the scope of these Contentions to the use of the keyboard for that particular application. For the avoidance of doubt, except where otherwise indicated, these Infringement Contentions apply to all applications with respect to which the specified virtual keyboard(s) may be used.



*iPhone 11, English (US) keyboard, Message application.*

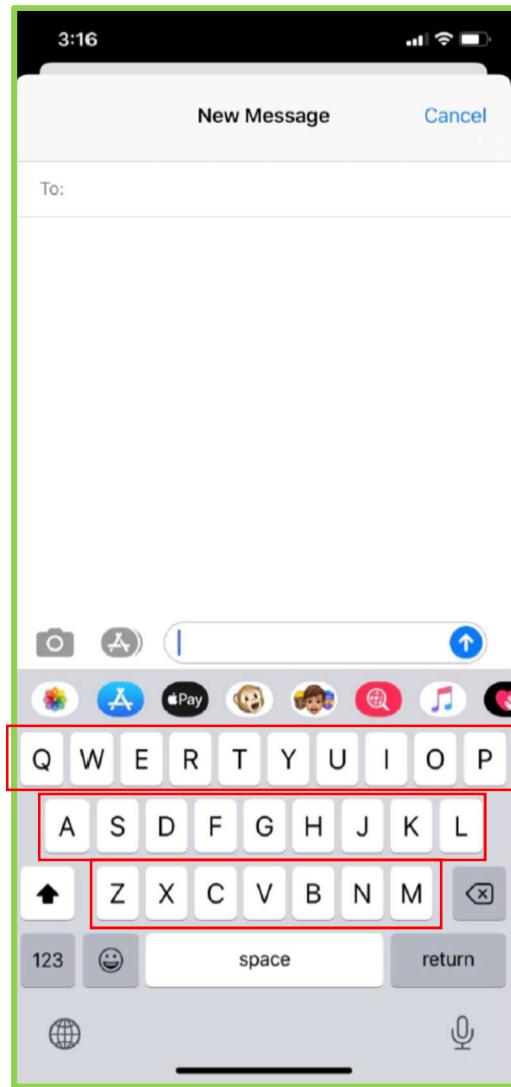
	The program code stored in memory, when read, causes the device to present a user interface in which each character key of the keyboard is a representation of the function of entering a character into a text field.
[b]: wherein the representation consists of only one option for activating the function	On the Accused Devices and Accused Devices (3PA), program code stored in memory for presenting a virtual keyboard, when read, causes the device to present a user interface in which each character key (“representation”) depicts (“consists of”) only one character, i.e., only one option for activating the function of entering a character into the text field. For example, the “English (US)” virtual keyboard presented when program code included in iOS 13 and iPadOS and subsequent version of iOS and iPadOS is executed on an Accused Device includes at least one representation that consists of only one option for activating the function:



*iPhone 11, English (US) keyboard, Message application.*

In the example above, the highlighted “representation of a function” is the “H” character key. As presented by the code for presenting the “English (US)” virtual keyboard, at least each of the character keys of the keyboard

indicated below constitutes a “representation of a function:”



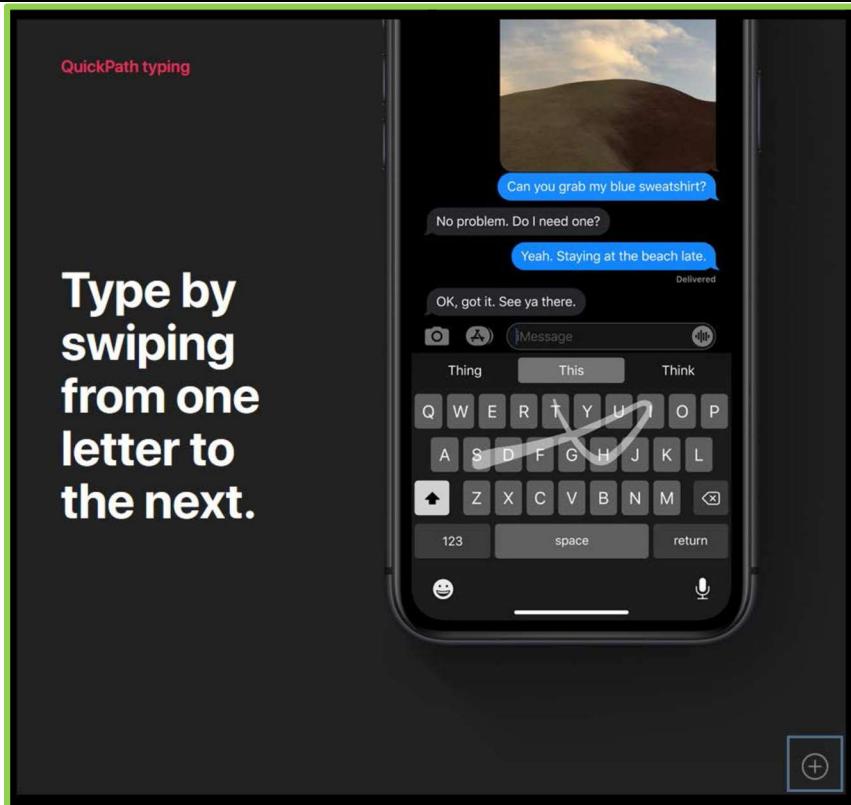
*iPhone 11, English (US) keyboard, Message application.*

	Similarly, the program code for a Third Party Swipe-Typing Keyboard App that is stored in the memory of an Accused Device (3PA) causes the device to present at least one (typically, at least 26) representation of a key consisting of only one character, such as a letter character.
[c]: and wherein the function is activated by a multi-step operation comprising (i) an object touching the touch sensitive area at a location where the representation is provided and then (ii) the object gliding along the touch sensitive area away from the touched location,	The Accused Devices include program code, included in iOS 13 and iPadOS and subsequent versions of iOS and iPadOS, which causes the device, when presenting the “English (US)” virtual keyboard with Settings/General/Keyboard/Slide to Type toggled “On,” <sup>62</sup> to generate a particular character in a text field as a result of an object (such as a user’s finger) (i) touching the display at the location where the key representing the character is located, and (ii) gliding along the touch sensitive area of the display away from that location. <sup>63</sup>

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<sup>62</sup> This setting is toggled “On” by default in iOS 13, iPadOS and subsequent versions of iOS and iPadOS.

<sup>63</sup> The functionality that this program code causes the Accused Devices to execute is branded by Apple as “QuickPath.”



<https://www.apple.com/ios/ios-13/>.

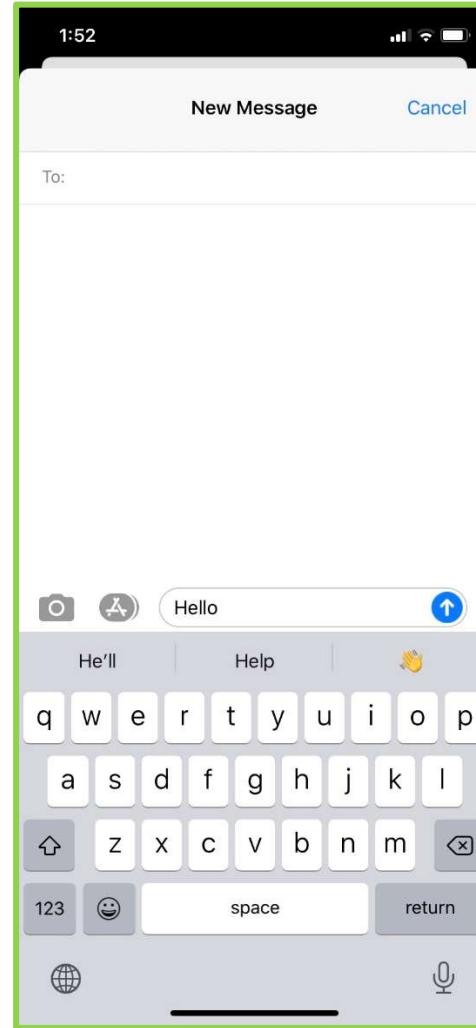
For example, the user of an Accused Device may activate the function of entering the letter "H" into the text field by touching the "H" key and gliding away from it along the display:



*iPhone 11, English (US) keyboard, Message application (during swipe typing).*<sup>64</sup>

<sup>64</sup> The grey "swoosh" graphic present along the upper middle portion of the keyboard is dynamically generated by the device and roughly tracks the path of the user's finger as it glides along the display.

Upon completion of the gliding action, the letter "H," as well as other letters the keys for which were touched during the gliding motion, appears in the text field:

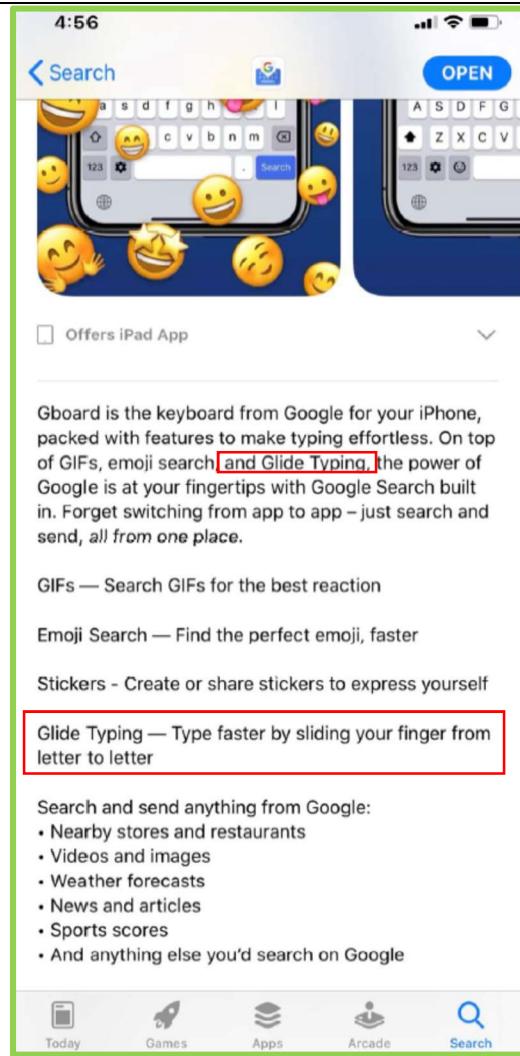


*iPhone 11, English (US) keyboard, Message application (swiping complete).*

The same functionality is activated for any other character key that is initially touched during a “touch and glide” operation as described above, as well as other character keys touched during the operation, upon completion of the operation.

The Accused Devices (3PA) include memory storing program code for third party keyboard applications that causes the device, when presenting the third party keyboard, to generate a particular character in a text field as a result of the user (i) touching the display at the location where the key representing the character is located with an object, such as the user’s finger, and (ii) causing the object to glide along the touch sensitive area of the display away from that location, in the same manner as described above. These third party keyboard applications, which generally refer to the recited functionality as “swipe typing,” “glide typing,” or the like, include Gboard, Swype, SwiftKey, FancyKey, iKeyboard, Nintype, Oh Fonts Swipekeys, Smart Swipe Keyboard, Swipekeys, and Syriac Swipekeys (“Third Party Swipe-Typing Keyboard Apps”).

For example, the GBoard keyboard application includes program code for a functionality that it refers to as “Glide Typing:”

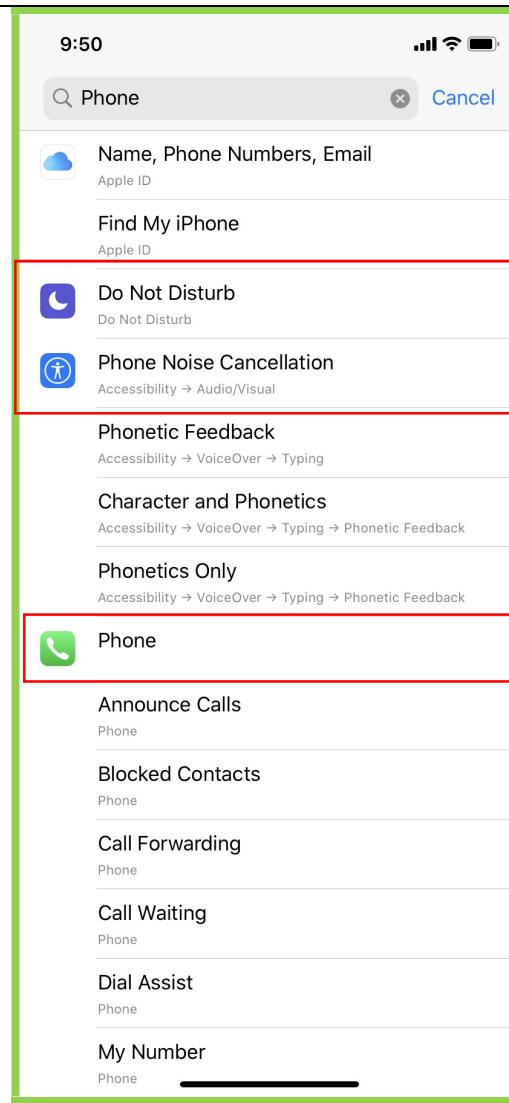


*GBoard – the Google Keyboard, Apple App Store page.*

This program code causes an Accused Device (3PA), when presenting the GBoard virtual keyboard, to generate a particular character in a text field as a result of the user (i) touching the display at the location where the key representing the character is located with an object, such as the user's finger, and (ii) causing the object to glide

	along the touch sensitive area of the display away from that location. Program code for the other Third Party Swipe Typing Apps causes the Accused Devices (3PA) to function in the same manner.
[d]: wherein the representation of the function is not relocated or duplicated during the gliding.	<p>The program code of the Accused Devices, when presenting the “English (US)” virtual keyboard on an Accused Device, causes the key that is touched during the first step of the multi-step operation of limitation 1[c] not to be relocated or duplicated after the user’s finger has moved beyond the boundary of the key (“during the gliding”).</p> <p>Limitation 1[d] is also satisfied with respect to the Accused Devices for the independent reason that the Accused Devices include program code that causes the device to present a setting in Keyboard Settings for “Character Preview,” which, when toggled “Off,” causes the device to present the “English (US)” virtual keyboard such that the key that is touched during the first step of the multi-step operation of limitation 1[c] does not “pop out” at any point after the display is initially touched at the location of the key.</p> <p>The program code of the Accused Devices (3PA), when presenting the virtual keyboard of a Third Party Swipe-Typing Keyboard App on an Accused Device, causes the key that is touched during the first step of the multi-step operation of limitation 1[c] not to be relocated or duplicated after the user’s finger has moved beyond the boundary of the key (“during the gliding”).</p>
2. The computer readable medium of claim 1, wherein the function, when activated, causes the user interface to display icons representing different services or settings for a currently active application.	<p>The Accused Devices and Accused Devices (3PA) include, stored in memory, program code that causes the device to present a user interface that includes icons representing different services or settings for a currently active application (such as the phone application, which may, for example, be resident in memory (RAM) and/or using CPU cycles but running in the background while the interface is presented) when a user performs the multi-step operation recited in claim 1[c] using the “English (US)” virtual keyboard or any Third Party Swipe Typing App.</p> <p>For example, the program code for the Accused Devices and Accused Devices (3PA) will cause the following interface to be presented when a user inputs “phone” into the search text field in Settings using the multi-step operation recited in claim 1[c].<sup>65</sup></p>

<sup>65</sup> The particular search terms used, and the resulting interfaces, are exemplary and are not intended to limit the scope of these Contentions.

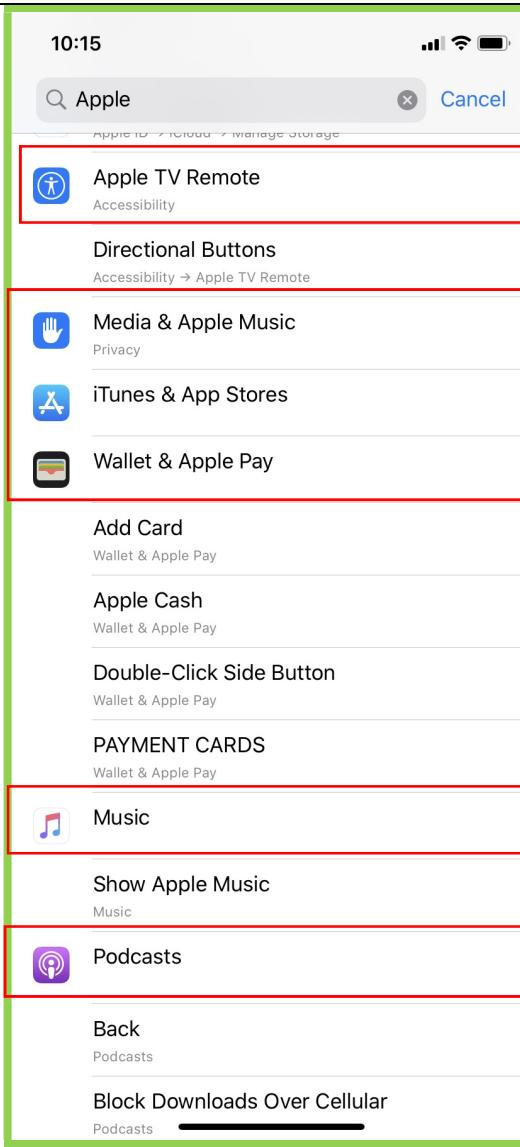


*iPhone 11, English (US) keyboard, Settings*

The icons adjacent the “Do Not Disturb,” “Phone Noise Cancellation” and “Phone” legends represent services or settings for the phone application (“Phone”) or the operating system (“Do Not Disturb,” “Phone Noise

Cancellation") of the device. The program code stored in the memory of the Accused Devices and Accused Devices (3PA) enables this interface to be presented while the phone application (and various other applications) are active, resident in memory (RAM) and/or using CPU cycles but running in the background.

By way of another example, the program code for the Accused Devices and Accused Devices (3PA) will cause the following interface to be presented when a user inputs "apple" into the search text field in Settings using the multi-step operation recited in claim 1[c]:

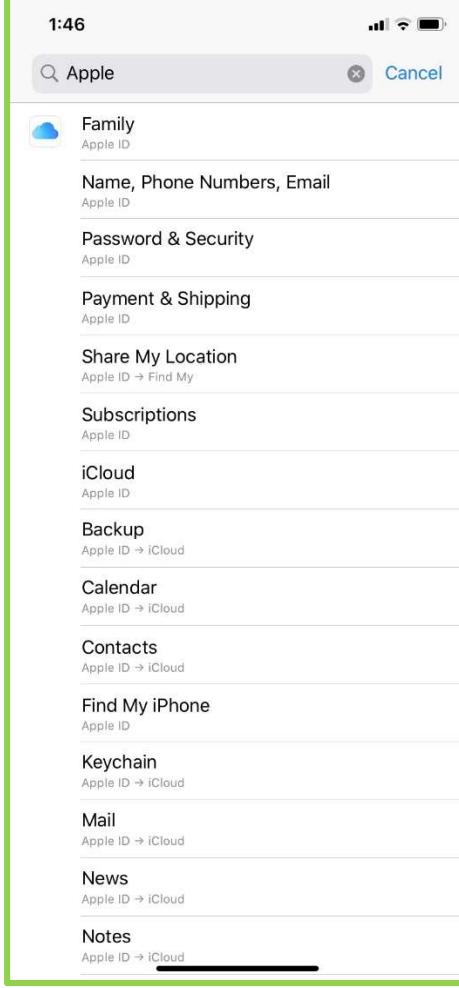


*iPhone 11, English (US) keyboard, Settings.*

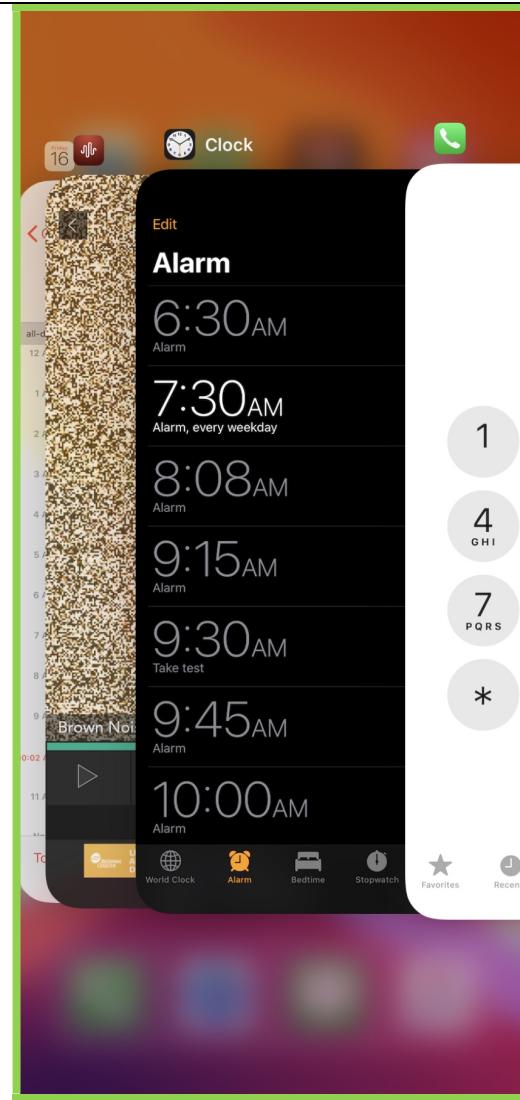
	<p>The icons adjacent the “Apple TV Remote,” “Media &amp; Apple Music,” “iTunes &amp; App Stores,” “Wallet &amp; Apple Pay,” “Music” and “Podcasts” legends represent services or settings for the referenced applications or the operating system of the device.</p>
<p>3. The computer readable medium of claim 2, wherein the user interface is characterised in, that a selection of a preferred service or setting is done by tapping on a display icon corresponding to the preferred service or setting.</p>	<p>The program code for the Accused Devices and Accused Devices (3PA) enables the selection of a particular service or setting presented in an interface displayed as a result of the operation recited in claims 1[c] and 2 by tapping on the icon corresponding to that service or setting.</p>
<p>6. The computer readable medium of claim 1, wherein the function, when activated, causes the user interface to display a list with a library of available applications and files on the mobile handheld computer unit.</p>	<p>The Accused Devices and Accused Devices (3PA) include, stored in memory, program code that causes the device to display a list with a library of available applications and files on the device when a user performs the multi-step operation recited in claim 1[c], using the “English (US)” virtual keyboard with Settings/General/Keyboard/Slide to Type toggled “On” or any Swipe-typing Third Party Keyboard App, after positioning the cursor in the “Search” field of the Settings function.</p> <p>For example, the program code for the Accused Devices and Accused Devices (3PA) will cause the following interface to be presented when a user inputs “apple” into the search text field in Settings using the multi-step operation recited in claim 1[c].<sup>66</sup></p>

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<sup>66</sup> The particular search terms used, and the resulting interfaces, are exemplary and are not intended to limit the scope of these Contentions.

	 <p>iPhone 11, English (US) keyboard, Settings.</p>	
12. The computer readable medium of claim 1, wherein the user interface is characterised	The Accused Devices and Accused Devices (3PA) include program code stored in memory that, when read by the device, causes the device to present an interface in which an active application, function, service or setting is advanced one step by gliding the object along the touch sensitive area from left to right, and that the active	

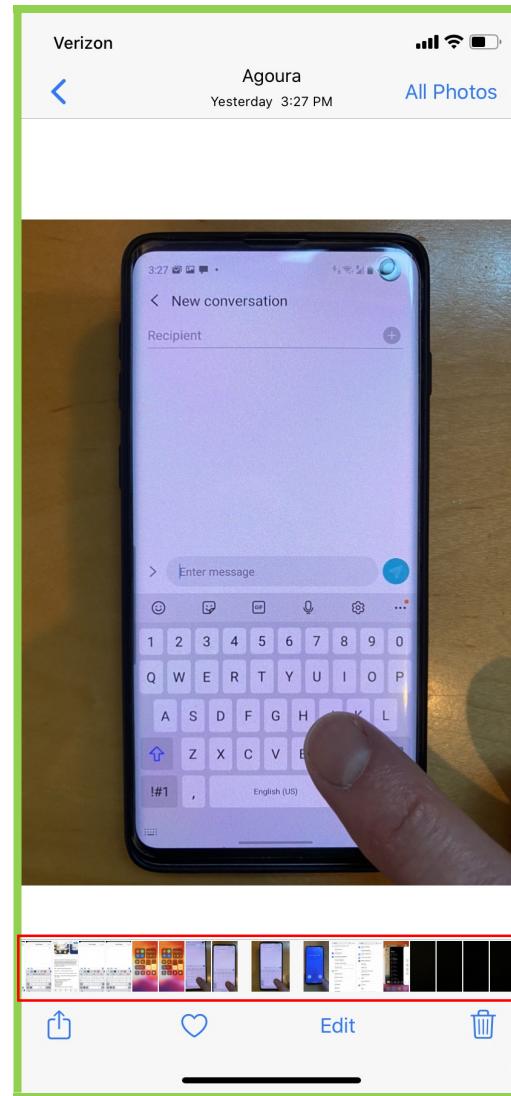
<p>in, that an active application, function, service or setting is advanced one step by gliding the object along the touch sensitive area from left to right, and that the active application, function, service or setting is closed or backed one step by gliding the object along the touch sensitive area from right to left.</p>	<p>application, function, service or setting is closed or backed one step by gliding the object along the touch sensitive area from right to left.</p> <p>For example, the Accused Devices and Accused Devices (3PA) include program code that causes the device to present an interface, while various applications are active, in which the user may advance one step through a series of active application windows by gliding an object (such as the user's finger) along the display from left to right, and may move back one step through a series of active application windows by gliding an object along the display from right to left:</p>
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*iPhone 11.*

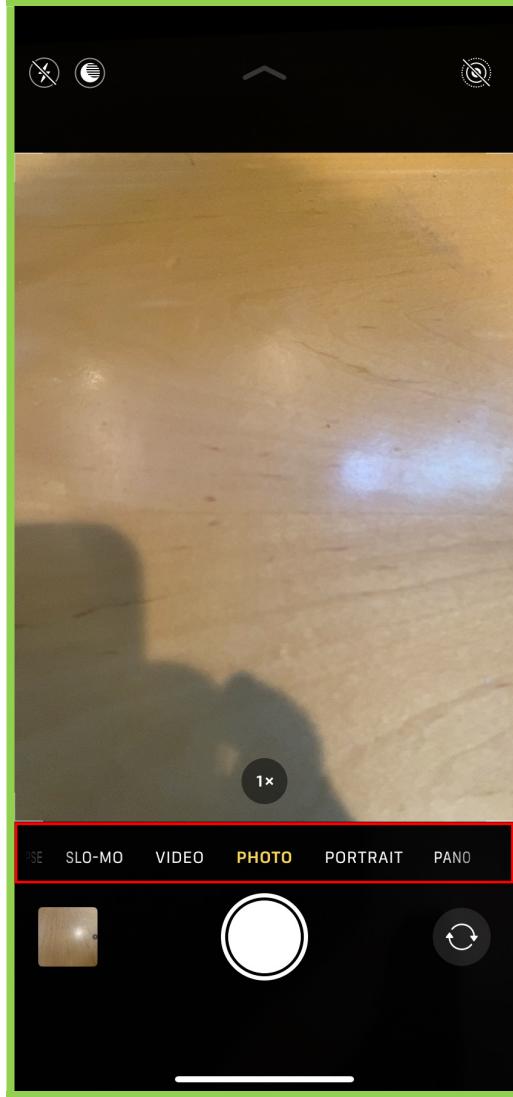
By way of another example, the Accused Devices and Accused Devices (3PA) include program code that causes the device to present an interface, while the camera application is active, in which the user may advance one

step (one image) through a series of stored images by gliding an object (such as the user's finger) along the display from left to right, and may move back one step (one image) by gliding an object along the display from right to left:



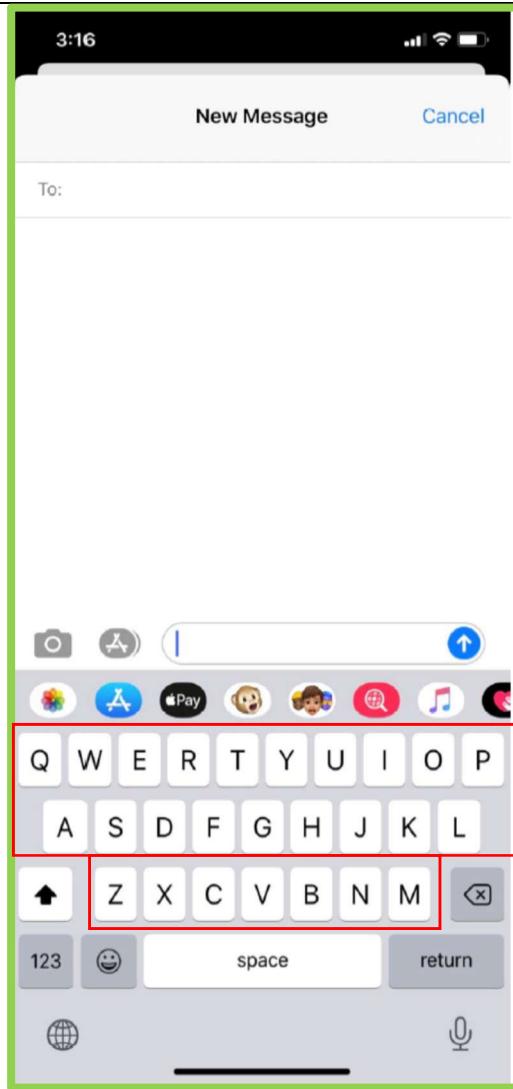
*iPhone 11, camera application.*

By way of another example, the Accused Devices and Accused Devices (3PA) include program code that causes the device to present an interface, while the camera application is active, in which the user may advance one step through a set of functions, services or settings for the camera application by gliding an object along the display from left to right, and may move back one step through the set of functions, services or settings by gliding an object along the display from right to left:



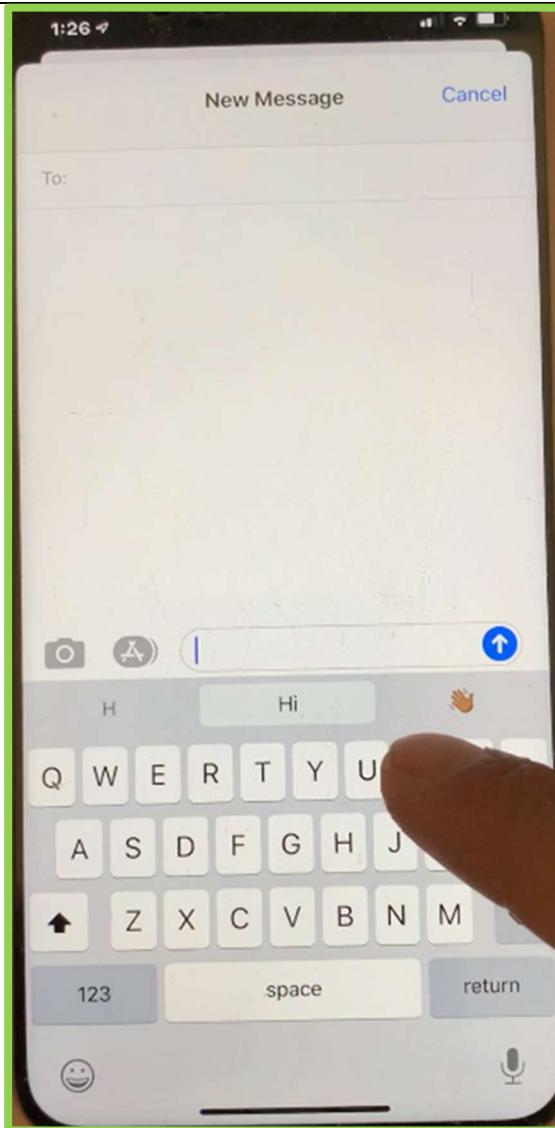
*iPhone 11, camera application.*

	<p>By way of another example, for Accused Devices and Accused Devices (3PA) that constitute iPad models, browsing history and photos may be advanced or regressed by gliding an object along the display from left to right or right to left, respectively.</p> <p>By way of another example, the Accused Devices and Accused Devices (3PA) include program code that causes the device to advance one step through one set of icons (application, system function) to another set of icons, or to or from a set of widgets, by gliding an object along the display from left to right, and may move back one step through the set of icons by gliding an object along the display from right to left.</p> <p>By way of another example, the Accused Devices and Accused Devices (3PA) include program code that causes the device to advance one step through one set of open applications to another set of open applications, by gliding an object along the bottom edge of the display (in the location of the Home Bar) from left to right, and may move back one step through the set of applications by gliding an object along the display in the same location from right to left.</p>
13. The computer readable medium of claim 1, wherein the user interface is characterised in, that said representation of said function is located at the bottom of said touch sensitive area.	The Accused Devices include and Accused Devices (3PA) include program code stored in memory that, when read by the device, cause the device to present an interface in which “English (US)” virtual keyboard and Third Party Swipe Typing Keyboard App virtual keyboards present character keys at the bottom of the display:



*iPhone 11, English (US) keyboard, Message application.*

15. The computer readable medium of claim 1, characterised in, that said computer program code is adapted to function as a shell upon an operating system.	The memory of an Accused Device (3PA) contains program code for one or more Third Party Swipe-Typing Keyboard Apps, which program code is adapted to function as a shell upon the operating system (iOS, iPadOS or Watch OS) of the device.
16. The computer readable medium of claim 1, wherein the representation is finger-sized.	The Accused Devices and Accused Devices (3PA) include, stored in memory, program code that causes the device, when presenting the “English (US)” virtual keyboard or any Third Party Swipe-Typing Keyboard App, to display character keys on the virtual keyboard that are finger-sized:



*iPhone XR, English (US) keyboard, Message application.*

17. The computer readable medium of claim 1, wherein the location where the representation is provided does not provide touch functionality for a different function.	The Accused Devices and Accused Devices (3PA) include, stored in memory, program code that causes the device, when presenting the “English (US)” virtual keyboard or any Swipe-typing Third Party Keyboard App, to display one or more character keys on the virtual keyboard at locations on the display at which touch functionality is provided, during the time in which the character key is displayed, only for the function of entering the displayed character key into a text field.
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## PRELIMINARY INFRINGEMENT CONTENTIONS – APPLE - 2

U.S. PATENT NO. 8,095,879

Claim	Evidence
1[p]: A non-transitory computer readable medium storing a computer program with computer program code, which, when read by a mobile handheld computer unit, allows the computer to present a user interface for the mobile handheld	<p>The iPhone X,<sup>1</sup> iPhone XR,<sup>2</sup> iPhone XS,<sup>3</sup> iPhone XS Max,<sup>4</sup> iPhone 11,<sup>5</sup> iPhone 11 Pro,<sup>6</sup> iPhone 11 Pro Max,<sup>7</sup> and iPad Pro (3rd<sup>8</sup> and 4th<sup>9</sup> generations) (collectively, “the Accused Devices”)<sup>10</sup> include a non-transitory computer readable medium (a flash memory), storing program code which, when read by the processor incorporated into the Accused Devices, allows the devices to present a user interface.</p> <p>The memory stores program code, e.g., the operating system (iOS, iPadOS) code of the device as well as application code. The Accused Devices include hardware, such as RAM and a main processor, for reading the operating system and application code stored in memory. The iPhone X includes an A11 Bionic processor.<sup>11</sup> The</p>

<sup>1</sup> 64 or 256 GB flash memory. iPhone X, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_X](https://en.wikipedia.org/wiki/IPhone_X); iPhone X Teardown, <https://www.ifixit.com/Teardown/iPhone+X+Teardown/98975> (Toshiba TSB3234X68354TWNA1 64 GB flash memory).

<sup>2</sup> 64, 128, or 256 GB flash memory. iPhone XR, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_XR](https://en.wikipedia.org/wiki/IPhone_XR); iPhone XR Teardown, <https://www.ifixit.com/Teardown/iPhone+XR+Teardown/114123> (Toshiba TSB3243VC0428CHNA1 64 GB flash storage).

<sup>3</sup> 64, 256 or 512 GB flash memory. iPhone XS, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_XS](https://en.wikipedia.org/wiki/IPhone_XS); iPhone XS Teardown, <https://www.ifixit.com/Teardown/iPhone+XS+and+XS+Max+Teardown/113021> (Toshiba TSB3243V85691CHNA1 64 GB flash storage).

<sup>4</sup> *Ibid.*

<sup>5</sup> 64, 128 or 256 GB flash memory. iPhone 11, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_11](https://en.wikipedia.org/wiki/IPhone_11).

<sup>6</sup> 64, 256 or 512 GB flash memory. iPhone 11 Pro, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_11\\_Pro](https://en.wikipedia.org/wiki/IPhone_11_Pro).

<sup>7</sup> 64, 256 or 512 GB flash memory. iPhone 11 Pro Max, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_11\\_Pro](https://en.wikipedia.org/wiki/IPhone_11_Pro); iPhone 11 Pro Max Teardown, <https://www.ifixit.com/Teardown/iPhone+11+Pro+Max+Teardown/126000> (Toshiba TSB4226VE9461CHNA1 1927 64 GB flash storage).

<sup>8</sup> 64, 256, 512 GB, 1 TB flash memory. iPad Pro (3rd generation) Specs, [https://support.apple.com/kb/SP785?locale=en\\_US](https://support.apple.com/kb/SP785?locale=en_US); iPad Pro (3rd generation) Teardown, <https://www.ifixit.com/Teardown/iPad+Pro+11-Inch+Teardown/115457> (Toshiba TSB3247M61710TWNA1 flash storage (64 GB total)).

<sup>9</sup> 128, 256, 512 GB, 1 TB flash memory. iPad Pro (4th generation) Specs, [https://support.apple.com/kb/SP815?locale=en\\_US](https://support.apple.com/kb/SP815?locale=en_US).

<sup>10</sup> Plaintiff has not yet been able to obtain information concerning subsequent models of iPhone and iPad products sufficient to enable it to determine whether such products infringe the ‘879 Patent, and on that basis reserves its right to supplement or amend these contentions to address infringement by such products.

<sup>11</sup> [https://support.apple.com/kb/SP770?locale=en\\_US](https://support.apple.com/kb/SP770?locale=en_US) (iPhone X – Technical Specifications); <https://www.techinsights.com/blog/apple-iphone-x-teardown>

computer unit, the user interface comprising:	iPhone XS, XS Max, and XR include an A12 Bionic processor. <sup>12</sup> The iPhone 11, 11 Pro, and 11 Pro Max include an A13 Bionic processor. <sup>13</sup> The iPad Pro (3rd and 4th generations) include an A12X Bionic processor. <sup>14</sup> In addition, the Accused Devices include hardware, such as light emitting diodes (LEDs), for presenting a user interface.
[a]: a touch sensitive area in which a representation of a function is provided,	<p>The display of each of the Accused Devices includes a touch sensitive area, comprising a substantial portion of the screen presented to the user. The touch sensitive displays of the Accused Devices are comprised of one or more glass sheets incorporating circuitry to enable capacitive sensing.<sup>15</sup></p> <p>Each Accused Device includes code stored in memory for presenting a Lock Screen that includes a horizontal bar (“Control Bar”) in the upper right corner of the display:</p>

<sup>12</sup> [https://support.apple.com/kb/SP779?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP779?viewlocale=en_US&locale=en_US) (iPhone XS - Technical Specifications);

[https://support.apple.com/kb/SP780?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP780?viewlocale=en_US&locale=en_US) (iPhone XS Max – Technical Specifications);

[https://support.apple.com/kb/SP781?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP781?viewlocale=en_US&locale=en_US) (iPhone XR – Technical Specifications);

[https://support.apple.com/kb/SP785?locale=en\\_US](https://support.apple.com/kb/SP785?locale=en_US) (iPad Pro 12.9-inch (3rd generation) - Technical Specifications.pdf);

[https://support.apple.com/kb/SP815?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP815?viewlocale=en_US&locale=en_US) (iPad Pro 12.9-inch (4th generation) - Technical Specifications)

<sup>13</sup> <https://www.apple.com/iphone-11/specs/> (iPhone 11 Technical Specifications); <https://www.apple.com/iphone-11-pro/specs/> (iPhone 11 Pro Technical Specifications).

<sup>14</sup> iPad, Wikipedia, <https://en.wikipedia.org/wiki/IPad>.

<sup>15</sup> <https://www.lovefone.co.uk/blogs/news/117010948-how-does-the-iphone-touch-screen-work-and-why-is-it-made-of-glass#:~:text=Capacitive%20screens%20use%20a%20layer,at%20the%20point%20of%20contact.&text=Using%20glass%20and%20capacitive%20technology,other%20types%20of%20capacitive%20screens.>



*Lock screen, iPhone 11.<sup>16</sup>*

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<sup>16</sup> Screenshot taken 4/10/2020, by Philip Graves.

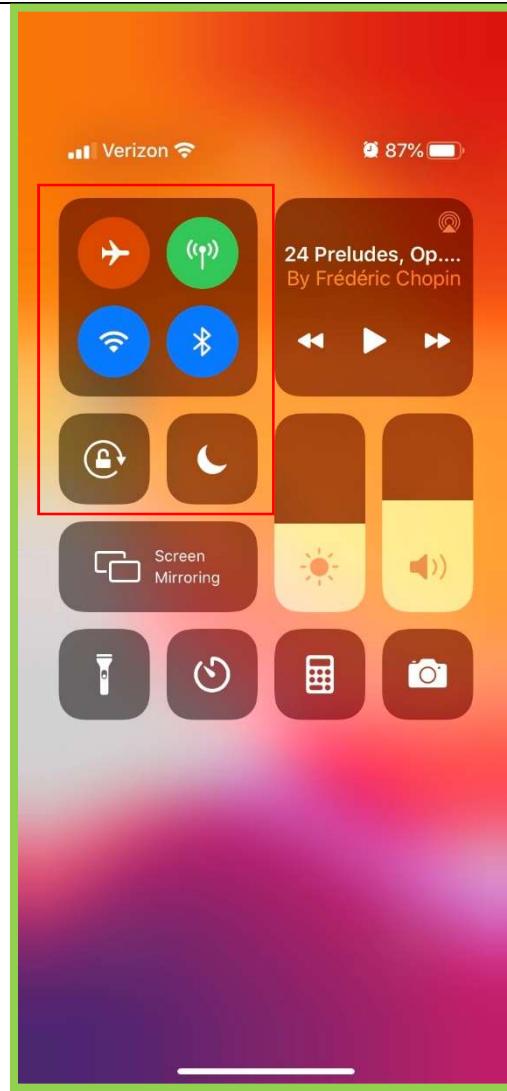
	The Control Bar is a representation of the function of opening the Control Center.
[b]: wherein the representation consists of only one option for activating the function	The Control Bar (“the representation”) of the Accused Devices depicts (“consists of”) only one option for activating the function (transitioning the interface to the Control Center).
[c]: and wherein the function is activated by a multi-step operation comprising (i) an object touching the touch sensitive area at a location where the representation is provided and then (ii) the object gliding along the touch sensitive area away from the touched location,	The Accused Devices include program code for causing the interface to transition from the Lock Screen to the Control Center when an object capable of being sensed by a capacitive touchscreen (such as a user’s finger) (i) touches the display at the location of the Control Bar, and (ii) glides the object touching the display downward along the display.
[d]: wherein the representation of the function is not relocated or duplicated during the gliding.	The program code of the Accused Devices causes the Control Bar not to be relocated or duplicated while the object is gliding downward along the display.
2. The computer readable medium of claim 1, wherein the function, when activated, causes the user interface to display icons representing different services or settings for a currently	The Accused Devices include a memory storing program code for causing the interface to transition from the Lock Screen to the Control Center when an object touches the display in the area of the Control Bar and glides downward along the display, upon which the user interface displays icons representing different services or settings (e.g., Airplane Mode, Wi-Fi connectivity, Bluetooth connectivity, cellular connectivity) for applications (such as the phone and browser applications) that may be active when the Control Center interface is opened, including applications that may be resident in memory (RAM) and/or using CPU cycles but running in the background:

active application.



*iPhone 11, Control Center.*

	<p>In addition, other icons different from those identified above may be present in the Control Center screen as a result of user customization, or as a result of the use of third party applications (e.g., Zoom), which icons may represent services or settings of a currently active (in the foreground or background) application.</p>
	<p>For all of the Accused Devices, in the Control Center interface, certain services or settings (e.g., Airplane Mode, Wi-Fi connectivity, Bluetooth connectivity, cellular connectivity) may be selected by tapping on the icon corresponding to the selected service:</p>

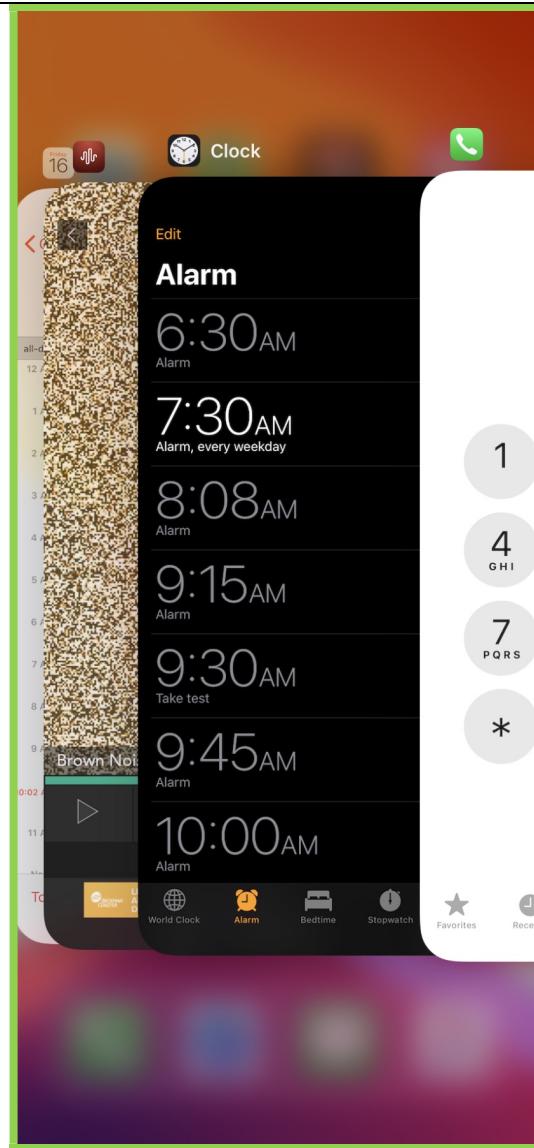


*iPhone 11, Control Center.*

12. The computer readable medium of claim

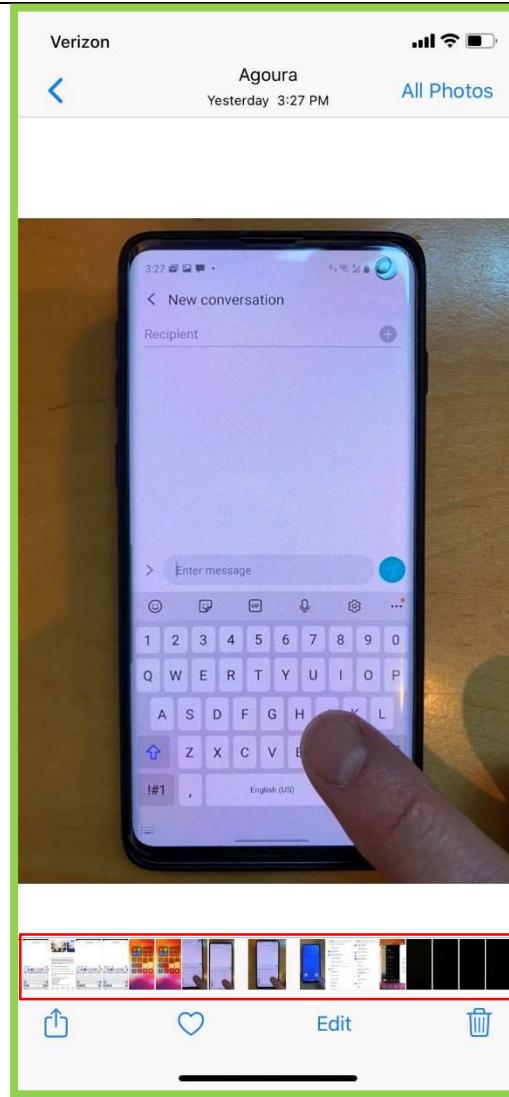
The Accused Devices and Indirect Accused Devices include program code stored in memory that, when read by the device, causes the device to present an interface in which an active application, function, service or setting

<p>1, wherein the user interface is characterised in, that an active application, function, service or setting is advanced one step by gliding the object along the touch sensitive area from left to right, and that the active application, function, service or setting is closed or backed one step by gliding the object along the touch sensitive area from right to left.</p>	<p>is advanced one step by gliding the object along the touch sensitive area from left to right, and that the active application, function, service or setting is closed or backed one step by gliding the object along the touch sensitive area from right to left.</p> <p>For example, the Accused Devices include program code that cause the device to present an interface, while various applications are active, in which the user may advance one step through a series of active application windows by gliding an object (such as the user's finger) along the display from left to right, and may move back one step through a series of active application windows by gliding an object along the display from right to left:</p>
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*iPhone 11.*

	<p>By way of another example, the Accused Devices and Accused Devices (3PA) include program code that causes the device to present an interface, while the camera application is active, in which the user may advance one step (one image) through a series of stored images by gliding an object (such as the user's finger) along the display from left to right, and may move back one step (one image) by gliding an object along the display from right to left:</p>
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*iPhone 11, camera application.*

By way of another example, the Accused Devices and Accused Devices (3PA) include program code that cause the device to present an interface, while the camera application is active, in which the user may advance one

step through a set of functions, services or settings for the camera application by gliding an object along the display from left to right, and may move back one step through the set of functions, services or settings by gliding an object along the display from right to left:



	<p><i>iPhone 11, camera application.</i></p> <p>By way of another example, for Accused Devices and Accused Devices (3PA) that constitute iPad models, browsing history and photos may be advanced or regressed by gliding an object along the display from left to right or right to left, respectively.</p> <p>By way of another example, the Accused Devices and Accused Devices (3PA) include program code that causes the device to advance one step through one set of icons (application, system function) to another set of icons, or to or from a set of widgets, by gliding an object along the display from left to right, and may move back one step through the set of icons by gliding an object along the display from right to left.</p> <p>By way of another example, the Accused Devices and Accused Devices (3PA) include program code that causes the device to advance one step through one set of open applications to another set of open applications, by gliding an object along the bottom edge of the display (in the location of the Home Bar) from left to right, and may move back one step through the set of applications by gliding an object along the display in the same location from right to left.</p>
16. The computer readable medium of claim 1, wherein the representation is finger-sized.	The Accused Devices include, stored in memory, program code that causes the device to present a Lock Screen that includes a finger-sized Control Bar:



*iPhone 11, Lock Screen.*

17. The computer readable medium of claim 1, wherein the location

The Accused Devices include, stored in memory, program code that causes the device to present a Lock Screen that includes a Control Bar at a location on the display that, while the Control Bar is being presented, provides touch functionality only for transitioning the interface to the Control Center.

where the representation is provided does not provide touch functionality for a different function.	
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## PRELIMINARY INFRINGEMENT CONTENTIONS - 3

U.S. PATENT NO. 8,812,993

APPLE

Claim	Evidence
1[p]. A non-transitory computer readable medium storing instructions, which, when executed by a processor of an electronic device having a touch-sensitive display screen, cause	<p>The iPhone X,<sup>1</sup> iPhone XR,<sup>2</sup> iPhone XS,<sup>3</sup> iPhone XS Max,<sup>4</sup> iPhone 11,<sup>5</sup> iPhone 11 Pro,<sup>6</sup> iPhone 11 Pro Max,<sup>7</sup> and iPad Pro (3rd<sup>8</sup> and 4th<sup>9</sup> generations) (collectively, “the Accused Devices”)<sup>10</sup> include a non-transitory computer readable medium (a flash memory), storing instructions (code) which, when executed by the processor incorporated into the Accused Devices, causes the device to enable a user interface.</p> <p>The Accused Devices include a processor which executes code, including code for presentation of the user interface. The iPhone X includes an A11 Bionic processor.<sup>11</sup> The iPhone XS, XS Max, and XR include an A12</p>

<sup>1</sup> 64 or 256 GB flash memory. iPhone X, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_X](https://en.wikipedia.org/wiki/IPhone_X); iPhone X Teardown, <https://www.ifixit.com/Teardown/iPhone+X+Teardown/98975> (Toshiba TSB3234X68354TWNA1 64 GB flash memory).

<sup>2</sup> 64, 128, or 256 GB flash memory. iPhone XR, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_XR](https://en.wikipedia.org/wiki/IPhone_XR); iPhone XR Teardown, <https://www.ifixit.com/Teardown/iPhone+XR+Teardown/114123> (Toshiba TSB3243VC0428CHNA1 64 GB flash storage).

<sup>3</sup> 64, 256 or 512 GB flash memory. iPhone XS, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_XS](https://en.wikipedia.org/wiki/IPhone_XS); iPhone XS Teardown, <https://www.ifixit.com/Teardown/iPhone+XS+and+XS+Max+Teardown/113021> (Toshiba TSB3243V85691CHNA1 64 GB flash storage).

<sup>4</sup> *Ibid.*

<sup>5</sup> 64, 128 or 256 GB flash memory. iPhone 11, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_11](https://en.wikipedia.org/wiki/IPhone_11).

<sup>6</sup> 64, 256 or 512 GB flash memory. iPhone 11 Pro, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_11\\_Pro](https://en.wikipedia.org/wiki/IPhone_11_Pro).

<sup>7</sup> 64, 256 or 512 GB flash memory. iPhone 11 Pro Max, Wikipedia, [https://en.wikipedia.org/wiki/IPhone\\_11\\_Pro](https://en.wikipedia.org/wiki/IPhone_11_Pro); iPhone 11 Pro Max Teardown, <https://www.ifixit.com/Teardown/iPhone+11+Pro+Max+Teardown/126000> (Toshiba TSB4226VE9461CHNA1 1927 64 GB flash storage).

<sup>8</sup> 64, 256, 512 GB, 1 TB flash memory. iPad Pro (3rd generation) Specs, [https://support.apple.com/kb/SP785?locale=en\\_US](https://support.apple.com/kb/SP785?locale=en_US); iPad Pro (3rd generation) Teardown, <https://www.ifixit.com/Teardown/iPad+Pro+11-Inch+Teardown/115457> (Toshiba TSB3247M61710TWNA1 flash storage (64 GB total)).

<sup>9</sup> 128, 256, 512 GB, 1 TB flash memory. iPad Pro (4th generation) Specs, [https://support.apple.com/kb/SP815?locale=en\\_US](https://support.apple.com/kb/SP815?locale=en_US).

<sup>10</sup> Plaintiff has not yet been able to obtain information concerning subsequent models of iPhone and iPad products sufficient to enable it to determine whether such products infringe the ‘879 Patent, and on that basis reserves its right to supplement or amend these contentions to address infringement by such products.

<sup>11</sup> [https://support.apple.com/kb/SP770?locale=en\\_US](https://support.apple.com/kb/SP770?locale=en_US) (iPhone X – Technical Specifications); <https://www.techinsights.com/blog/apple-iphone-x-teardown>

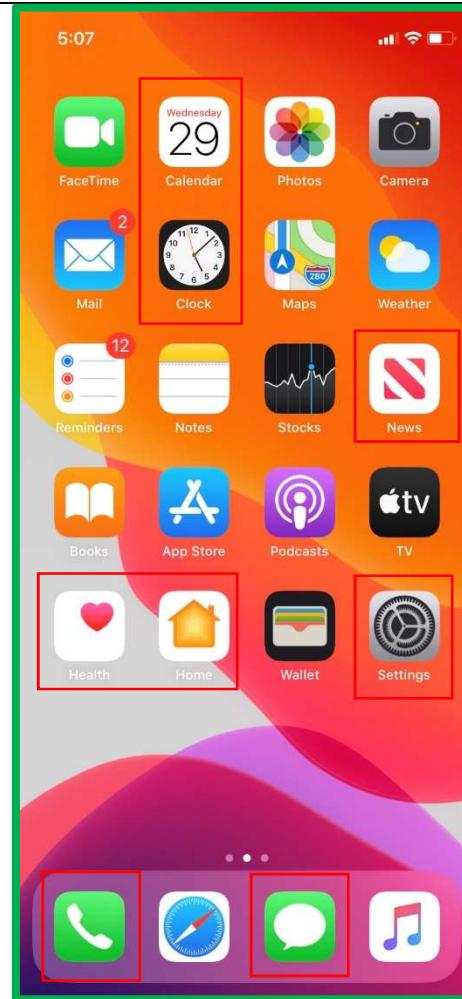
the processor to enable a user interface of the device, the user interface comprising at least two states, namely,	<p>Bionic processor.<sup>12</sup> The iPhone 11, 11 Pro, and 11 Pro Max include an A13 Bionic processor.<sup>13</sup> The iPad Pro (3rd and 4th generations) include an A12X Bionic processor.<sup>14</sup></p> <p>Each of the Accused Devices includes a touch sensitive display screen, comprised of, e.g., diodes (for providing the display) and one or more glass sheets incorporating circuitry to enable capacitive sensing.<sup>15</sup></p>
<p>[a] (a) a tap present state, wherein a plurality of tap-activatable icons for a respective plurality of pre-designated system functions are present, each system function being activated in response to a tap on its respective icon, and</p>	<p>The memory of the Accused Devices stores code for enabling the device to display a user interface comprising a Home Screen (“a tap-present state”), which presents multiple tap-activatable icons for system functions, each of which is activated by a tap on its respective icon:</p>

<sup>12</sup> [https://support.apple.com/kb/SP779?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP779?viewlocale=en_US&locale=en_US) (iPhone XS - Technical Specifications); [https://support.apple.com/kb/SP780?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP780?viewlocale=en_US&locale=en_US) (iPhone XS Max – Technical Specifications); [https://support.apple.com/kb/SP781?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP781?viewlocale=en_US&locale=en_US) (iPhone XR – Technical Specifications); [https://support.apple.com/kb/SP785?locale=en\\_US](https://support.apple.com/kb/SP785?locale=en_US) (iPad Pro 12.9-inch (3rd generation) - Technical Specifications.pdf); [https://support.apple.com/kb/SP815?viewlocale=en\\_US&locale=en\\_US](https://support.apple.com/kb/SP815?viewlocale=en_US&locale=en_US) (iPad Pro 12.9-inch (4th generation) - Technical Specifications)

<sup>13</sup> <https://www.apple.com/iphone-11/specs/> (iPhone 11 Technical Specifications); <https://www.apple.com/iphone-11-pro/specs/> (iPhone 11 Pro Technical Specifications).

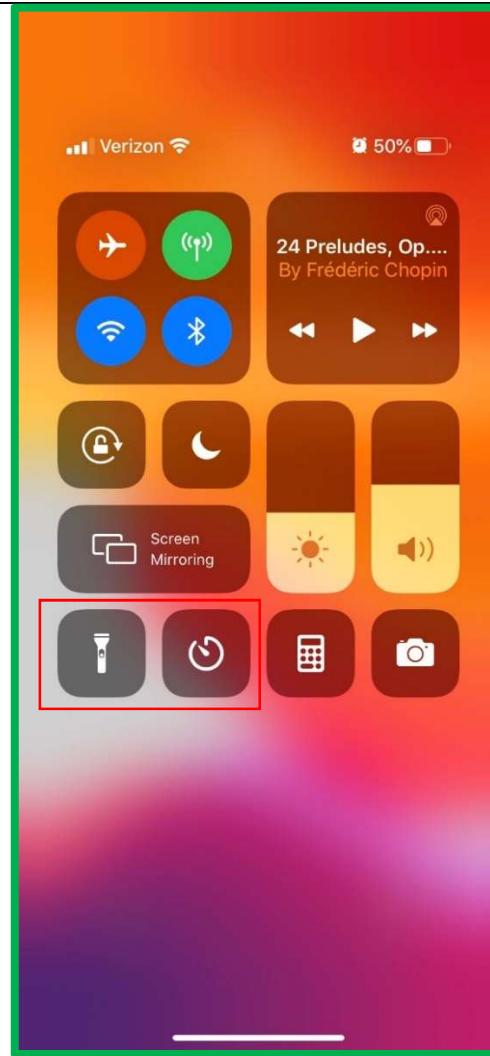
<sup>14</sup> iPad, Wikipedia, <https://en.wikipedia.org/wiki/IPad>.

<sup>15</sup> <https://www.lovefone.co.uk/blogs/news/117010948-how-does-the-iphone-touch-screen-work-and-why-is-it-made-of-glass#:~:text=Capacitive%20screens%20use%20a%20layer,at%20the%20point%20of%20contact.&text=Using%20glass%20and%20capacitive%20technology,other%20types%20of%20capacitive%20screens.>



*Home screen, iPhone 11.*

The memory of the Accused Devices also stores code for enabling the device to display a user interface comprising a Control Center screen (“a tap-present state”), which presents multiple tap-activatable icons for system functions, each of which is activated by a tap on its respective icon:



*Control Center, iPhone 11.*

[b] (b) a tap-absent state, wherein tap-activatable	The memory of the Accused Devices stores code for enabling the device to display a user interface comprising a Lock Screen ("a tap-absent state"):
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icons are absent but an otherwise-activatable graphic is present in a strip along at least one edge of the display screen for transitioning the user interface from the tap-absent state to the tap-present state



*Lock screen, iPhone 11.*

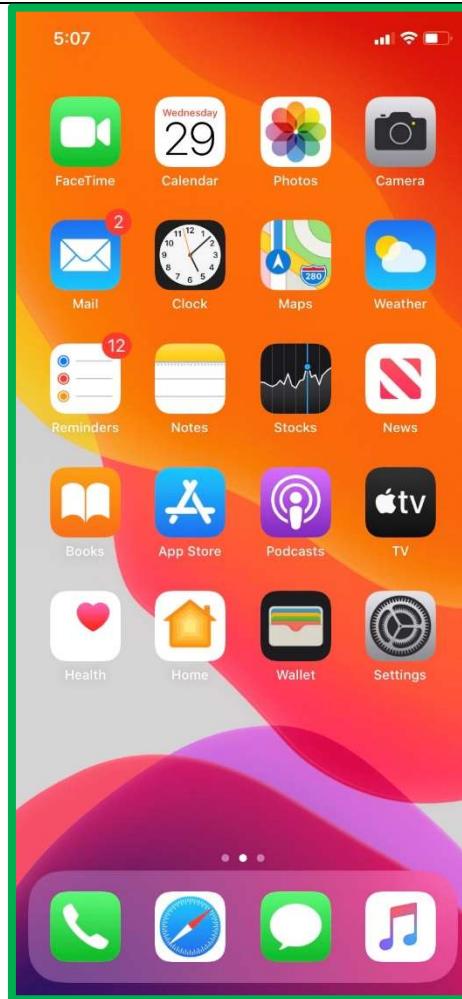
The Lock Screen of the Accused Devices presents no tap-activatable icons: Neither the flashlight icon in the lower left corner of the display, nor the camera icon in the lower right corner of the display, nor the padlock icon in the upper center of the display, nor any other graphic element of the Lock Screen display, is tap-activatable.

The Lock Screen of the Accused Devices presents two graphic elements that may be activated by a “touch and drag” motion across the display (“otherwise-activatable graphics”): a horizontal bar in the lower center of the display (the “Home Bar”) and a horizontal bar in the upper right of the display (the “Control Bar”), each of which is present in a strip along an edge of the display screen:



*Lock screen, iPhone 11.*

	<p>The code stored in the memory of the Accused Devices, when executed by the processor of the device, will cause the user interface to transition from the Lock Screen to the Home Screen when the Home Bar is activated. Similarly, the code stored in the memory of the Accused Devices, when executed by the processor of the device, will cause the user interface to transition from the Lock Screen to the Control Center screen when the Control Bar is activated.</p>
<p>[c] in response to a multistep user gesture comprising (i) an object touching the display screen within the strip, and (ii) the object gliding on the display screen away from and out of the strip.</p>	<p>The memory of the Accused Devices includes code for causing the user interface to transition from the Lock Screen to the Home Screen when an object (such as a user's finger) touches the display in the location of the Home Bar and glides upward on the display away from the location of the Home Bar, if Face ID has been configured and enabled.</p> <p>The memory of the Accused Devices includes code for causing the user interface to transition from the Lock Screen to the Control Center screen when an object capable of being sensed by a capacitive touchscreen (such as a user's finger) touches the display in the location of the Control Bar and glides downward on the display away from the location of the Control Bar.</p>
<p>2. The computer readable medium of claim 1, wherein any state transition elicited by a user gesture that begins at a location at which the otherwise-activatable graphic is provided, transitions to the tap-present state.</p>	<p>The code stored in the memory of the Accused Devices enables only one transition elicited by a gesture that begins at the location at which the Control Bar is presented: a transition from the Lock Screen to the Control Center screen.</p>
<p>3. The computer readable medium of claim 1, wherein the tap-present state does not display the tap-activatable icons within a window frame.</p>	<p>The code stored in the memory of the Accused Devices causes the device not to display tap-activatable icons of the Home Screen within a window frame:</p>



*Home screen, iPhone 11.*

The code stored in the memory of the Accused Devices causes the device not to display tap-activatable icons of the Control Center screen within a window frame:

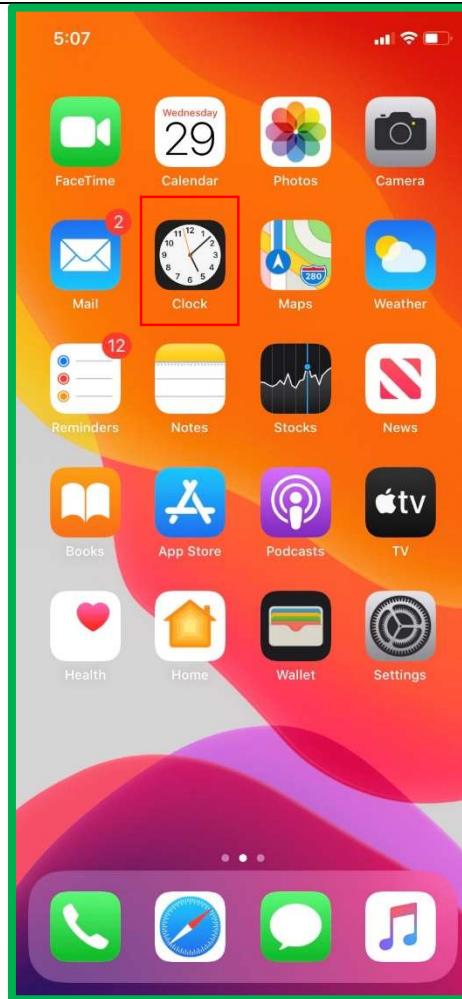


*Control Center, iPhone 11.*

5. The computer readable medium of claim 1, wherein the plurality of

The memory of the Accused Devices stores code for enabling the device to display a user interface comprising a Home Screen, which presents a tap-activatable icon for a clock function:

pre-designated system functions comprises a clock function.



*Home screen, iPhone 11.*

The memory of the Accused Devices stores code for enabling the device to display a user interface comprising a Control Center screen, which presents a tap-activatable icon for a clock function:

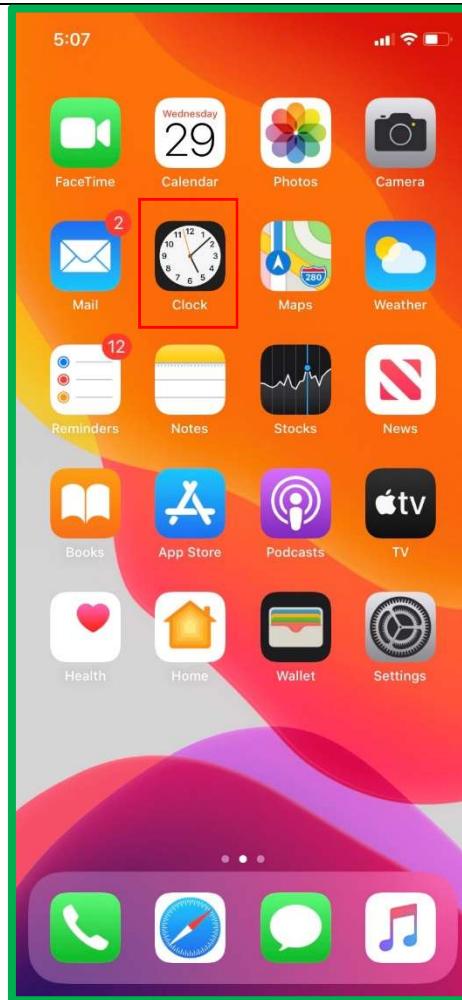


*Control Center, iPhone 11.*

6. The computer readable medium of claim 1, wherein the plurality of

The memory of the Accused Devices stores code for enabling the device to display a user interface comprising a Home Screen, which presents a tap-activatable icon for an alarm function:

pre-designated system functions comprises an alarm function.



*Home screen, iPhone 11.*

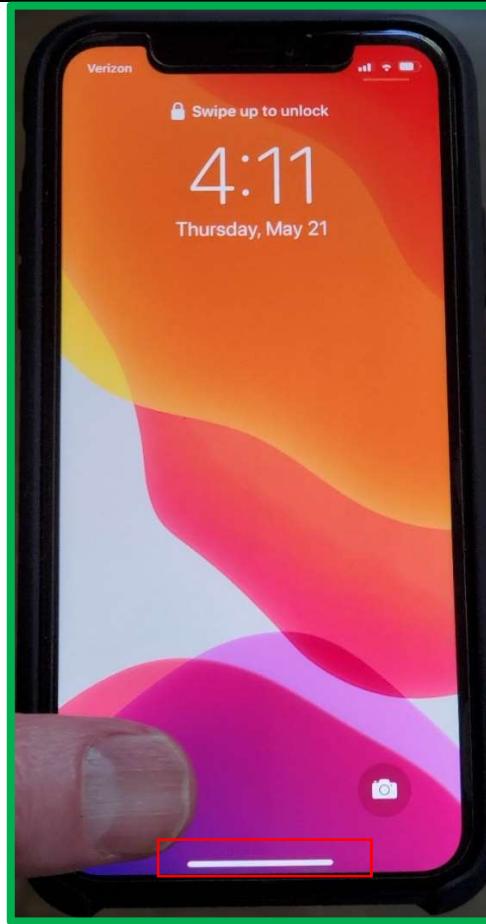
The memory of the Accused Devices stores code for enabling the device to display a user interface comprising a Control Center screen, which presents a tap-activatable icon for an alarm function:



*Control Center, iPhone 11.*

7. The computer readable medium of claim 1, wherein the strip is less	The code stored in the memory of the Accused Devices causes the device to present the Home Bar on the Lock Screen in a strip along an edge of the display that is less than a thumb's width wide within the display screen:
---	---

than a thumbs width wide within the display screen.



*Lock screen, iPhone 11.*

The code stored in the memory of the Accused Devices causes the device to present the Control Bar on the Lock Screen in a strip along an edge of the display that is less than a thumb's width wide within the display screen:



*Lock screen, iPhone 11.*

8. The computer readable medium of claim 1, wherein the multi-step user gesture comprises (i) the object touching the otherwise-activatable graphic, and (ii) the object	The memory of the Accused Devices includes code for causing the user interface to transition from the Lock Screen to the Home Screen when an object capable of being sensed by a capacitive touchscreen (such as a user's finger) touches the display at the location of the Home Bar and glides upward on the display away from the location of the Home Bar and more than one thumb's width away from the edge of the display, if Face ID has been configured and enabled.
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gliding on the display screen away from and out of the strip.	The memory of the Accused Devices includes code for causing the user interface to transition from the Lock Screen to the Control Center screen when an object capable of being sensed by a capacitive touchscreen (such as a user's finger) touches the display at the location of the Control Bar and glides downward on the display away from the location of the Control Bar and more than one thumb's width away from the edge of the display.
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## **EXHIBIT B**

Patent	Priority Date
U.S. 8,095,879	No later than 5/25/2000
U.S. 8,812,993	No later than 5/25/2000

**CERTIFICATE OF SERVICE**

I hereby certify that on the 16<sup>th</sup> day of October 2020, I caused to be served counsel of record via electronic mail at the following addresses.

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